

ISLAM,

PEOPLE AND GOVERNANCE

A study of the treatise on Islamic governance
written by Imam Ali ben Abi Talib to Malik Al-Ashtar,
whom he appointed him governor of Egypt

By
Dr. Abdul Monem Nasser



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Prologue

Preface

This work is a study of a document written by (Imam) Ali ben Abu Talib, the fourth Caliph in Islam, in which the foundations and principles of administration and governance of an Islamic state are detailed. It portrays the vision of an Islamic body politic governed by the principles and teachings of the faith of Islam. It also covers the functioning establishments of an Islamic administration, the qualifications and personal qualities of the officials, and their job descriptions.

Imam Ali assumed the Caliphate twenty five years after the death of Prophet Mohammad, and ruled for less than five years. He wrote this document in the last year or two of his Caliphate reign, and entrusted it to one of his close companions whom he appointed governor of Egypt, to be used as a body of directives and instructions on the policies he should follow in governing the state according to the principles and spirit of Islam.

By studying the text of this document, and the great emphasis Imam Ali puts on the personal qualities of the governors and their staff members, it becomes clear that he was convinced that the success of any governing body in realizing justice and securing the welfare of the people, greatly depends on the righteousness of those in charge of running the day to day affairs of the state. No matter how just and right any doctrine might be, unless those who are in charge of applying it are just and righteous, failure will be the outcome. The proverb in English goes: "It is the singer, not the song".

The leadership, life style, and knowledge of Imam Ali had been recognized by historians and social scholars as the model of the selfless leader, who put the interests of the masses in the forefront of his efforts. The United Nations, in its UNDP 2002 Arab Human Development Report, distributed around the world, listed a number of his sayings about ideal governance. The report advised leaders and politicians of Arab countries to take Imam Ali ben Abu Talib as an example of justice and democracy, and the model of a leader who encourages the pursuit of knowledge. The UN report, on the other hand, asserted that most regional countries in the Arab world are still far behind other nations in democracy, in wide political representation, in their administration, in development, and in knowledge.

The UNDP report quoted six of the sayings and teachings of Imam Ali, advising leaders to learn from them the art of governance. Below is the text of the first of his quoted sayings, the other five are included in the document under study, and shall be quoted and discussed later on. Advising any leader to be the model to others in all his actions and words, Imam Ali said: **“He who appointed himself an imam (ruler, leader, teacher) of the people must begin by teaching himself before teaching others. His teaching of others must be first by setting an example (by his deeds) rather than by his words; for he who begins by teaching and educating himself is more worthy of respect than he who teaches and educates others”**.

Historical Perspective

1. A brief historical resume of the socio-political situation in Arabia, between the birth of Prophet Mohammad and the election of Imam Ali as Caliph, some one hundred years later, is outlined. This introduction prepares the ground to comprehend the significance of this document, as it presents the foundations

of forming and running an Islamic state, and the values and principles that govern it. During the last decade of the life of the Prophet, he was able to establish the foundations of a state as ordained by divine authority, with policies that aim at realizing happiness and contentment for people in this world, and bliss and reward in the hereafter. The devout disciple, cousin, and son in law of the Prophet that he was, Ali made it his duty to build on those foundations, and govern the state according to them. For the benefit of any one who wants to understand the principles of Islam in managing the affairs of people, we are fortunate to find in this document a detailed description of all aspects of the structure of an Islamic state, regarding personnel and institutions.

2. The Prophet of Islam, Mohammad ben Abdullah, peace be upon him and his progeny, was born in Mecca in the year 570 AD. At the age of forty the message of Islam was revealed to him, by the Archangel Gabriel, with the first verse of the Quran, which read:

“Recite, in the name of your Lord who created. He created man from a clot. Recite, and your Lord is the most noble; who taught with the pen. He taught man what he knows not” (96: 1 - 5).

That event was the beginning of the new religion that was revealed to Prophet Mohammad, as a continuation and perfection of the previous divine messages. The first people who initially believed in him were his wife Khadeeja, and his young cousin Ali, who was eleven by then. At the beginning the Prophet began preaching the new faith clandestinely in Mecca, initially among a selected few of his closest relatives and friends. After the word spread in Mecca about the new religion, it was fiercely opposed by the aristocracy of the city, who saw in it a great threat to their social prestige and socio-economic interests.

For thirteen years the Prophet was met by every imaginable opposition, and not many accepted his call. Initially he found support from the impoverished and the under-privileged members of the community, save a small number of the notables of Mecca. Later on a certain number of the people of the city of Yathrib (400 km to the north) embraced Islam in the last few years of his stay in Mecca. That period represents the first phase of establishing Islam as a faith and a way of life.

3. When his enemies in Mecca failed to suppress his message, they saw no other way but to assassinate him. His assassination would not have gone without revenge and reprisal, because he belonged to one of the most influential clans in Mecca. So his enemies colluded to assassinate him collectively, and selected twelve of their men, one from each clan, to assassinate him en masse. He was inspired about the plot and decided to migrate to Yathrib, where he had some supporters. That migration was the most decisive step he took in the fate and future of Islam, as it led to the establishment of a state governed by the values and principles of the new religion. It is worth mentioning in this context that the Prophet, to evade the plot of the assassins, asked his cousin Ali to sleep in his own bed the night he decided to leave Mecca, in order to allow him to gain some time to get away and evade their plot, while his enemies would believe that the one sleeping in the bed was Mohammad himself. Ali willingly accepted to play that role and sacrifice himself if it meant that the Prophet would be safe from that plot.

In Yathrib, which the Prophet renamed Al Medina (i.e. the City), a new phase in the history of Islam began. Medina became the capital of the new Islamic state, and Prophet Mohammad became the leader of the new entity. The Islamic population of Medina was a mixture of the Moslems who followed him and migrated from Mecca, and those inhabitants of the city who had

entered Islam before and gave the Prophet their pledges of allegiance while he was still in Mecca. Besides them there were clans of Jews and nonbelievers. The population of that city was organized in communities of tribes and clans.

4. Soon after establishing a safe base for his government in Medina, and winning the support of its residents who regarded him as their leader, Prophet Mohammad began to plan ahead to establish an Islamic state, and regarded his migration to Medina as the opening phase in building an Islamic realm. He realized that to administer a community of such diverse convictions and political leanings in that city there was a need for a common constitutional body of rules that define the social and political relations between his government and the population on the one hand, and between the social groups themselves on the other hand; as well as with any other communities that would be part of the Islamic state in the future. Soon after he settled in his new capital base he drafted a charter which he named “Sahifat Al Medina” (the Charter of Al Medina). In that document, a form of a constitution, he established the principles that define the rights and duties of every element of the community.

According to that charter all the groups that embraced Islam were regarded as one unified community. They were to cooperate for one common cause, and observe the terms of that charter. They were expected to enhance the solidarity of their community without any privileges to any special group or individual. The non-Moslem clans were invited to work for the common security of the whole community in Medina against any outsiders who might form a threat to the security of the city and its inhabitants. The Jews of Medina and the other clans were treated as equal citizens to the Moslems regarding their civil rights. They were also invited to share in safeguarding the common cause of the community, like the Moslems, and they

were considered as allies against any outside party who might represents any danger to the city.

One significant aspect of the Charter was the emphasis on protecting and siding with anyone who might be subject to injustice, or wronged of his rights. Anyone who might commit a specified wrong deed will be dealt with according to the principles of justice, no matter what affiliation he or she might have within the community. The Moslem believers in particular shall not exempt any member of their clans from the punishment he or she deserves for committing any offence, misbehavior, unlawful deeds, or corruption. They shall act in unison against any wrong doer. In case members of the community have differences between them: **“It will be referred to Allah and to the Prophet himself to deal with”** the charter stated.

During the last ten years of his life, in which he was the de facto leader of a well organized state under the circumstances, he proved himself the impartial ruler, who considered all people equal, like the teeth of a comb, as he stated. It is during those short ten years that all of the Arabian Peninsula became part of the new state of Islam, and embraced the new faith, under the leadership of Prophet Mohammad. Justice was established according to divine Islamic principles, and all knew their rights and duties. Before his death, the Prophet expressed his satisfaction that he was able to realize the mission Allah entrusted him with, and educate the community on the noble values of Islam.

5. Some ten weeks before his death Prophet Mohammad delivered a speech announcing to about one hundred thousand Moslems that His cousin Ali was his entrusted successor to leadership, and that Ali would be to the Moslems as he Mohammad had been to them. Shortly after that event the following verse of the Qur'an was revealed to him, announcing

the divine will of Allah: **“This day I have perfected for you your religion and completed my favor upon you, and approved Islam a religion for you”** (5:3). This verse stands out as a dramatic finale of that phase in the history of the world, whereby the new way of life in Islam is envisaged. It also represents a decisive step forward in the life of the people in Arabia, compared with the conditions before Islam that witnessed a disturbed pagan society, in which ignorance and injustice were commonplace, where no form or bases defined the rights and responsibilities of the rulers or the people.

The significance of the above mentioned verse of the Quran is that Islam, as a way of life ordained by Divinity, is presented as a model way of life that caters for all aspects of existence for the human race; a system that takes care of their worldly needs and happiness in this world, and grants them bliss and rewards in the hereafter. That feat was a comprehensive and radical change in the life of the people in Arabia at that time, as well as a guide for other Islamic communities in the future. It is significant that Prophet Mohammad was the only one amongst prophets and messengers, who was able in his lifetime to establish an organized state governed by the principles of the new religion, as embodied in the holy book: Al Quran.

6. The most knowledgeable disciple of Prophet Mohammad, and the most faithful adherent to his teachings, was his cousin and son in law Ali Ben Abi Talib. Ali, since childhood, was personally raised by his cousin Mohammad, who was his senior of about thirty years. Ali was his closest companion since his early days, and from him he received his education, assimilated his manners, and adopted his beliefs. For the twenty three years since the first revelation came to Prophet Mohammad till his last moments in life, Ali was closely attached to him, except in some short periods when the Prophet put him in charge of certain

tasks. Ali received a great amount of knowledge from the Prophet, so much so that the Prophet described himself as the realm of knowledge, and Ali as the gate to that realm. It is clear then that Ali learnt so much from his tutor the Prophet, and whatever he said or did was fully in accordance with the teachings and education he received from his cousin and tutor.

7. Twenty five years after the death of the Prophet, his cousin and disciple Ali was elected Caliph by popular choice of the Moslems in Medina. Ali ruled the Islamic state for less than five years, and was assassinated at the age of sixty four. He was a faithful adherent to the teachings of Islam, and closely followed the policy of the Prophet in administering the state. The document under study is one of his most notable achievements. He handed it to one of his followers, Malik al-Ashtar, whom he appointed governor of Egypt, to apply its terms and instructions in his administration. In that document Ali wrote in great detail how an Islamic state should be governed and administered, as well as what qualifications its officials should possess.

8. In this work I shall attempt to explain and comment on the terms of that document, written fourteen centuries ago, which represents a remarkable body of teachings and regulations on the way of how organized governments should be formed and run. The document outlines the just and humane basis for the purpose of creating an egalitarian society in which all people are treated equally, irrespective of their convictions. Although it was the first time he occupied the position of the highest authority in the Islamic state, Imam Ali was able to present a remarkable vision of the structure of a well organized government. In addition to that he showed deep insight into human psychology, sound knowledge of the ambitions and aspirations of men in authority, and what influence they might have on human behaviour.

Besides the detailed description of the organizational systems and the structure of governmental establishments, Imam Ali

exerted a noticeable effort in educating his appointee on the importance of his personal deportment, how he should control his behavior, and especially on how to abstain from any excesses in dealing with the people. Ali wanted his appointee to remember that his success as a governor depends on his piety, righteousness, and good character; and most notably on avoiding conceit and arrogance in handling the affairs of the people. This emphasis on the personal qualities of the governor, or any official for that matter, indicates that the Imam considered them as vital prerequisites for the success of any official in carrying out his job efficiently and properly. Imam Ali showed a great amount of awareness of the influence of authority on the behaviour of men, so he dedicated a good part of the Charter to educate his officers on that, to protect them from the possibility of being corrupted by the power they wield.

9. It is unfortunate that the appointed governor who carried that document with him on his way to Egypt did not have the chance to reach his destination safely. He was fed a poisoned portion of honey in a plot planned by Mo'awiyah bin Abi Sofian, who was the renegade ruler of Damascus at that time. He was a staunch enemy of Imam Ali, and opposed his authority and fought him; just like he was the enemy of the Prophet in his lifetime. Mo'awiyah knew of that assignment, and managed to bribe someone to poison Malik when he was on his way to Egypt. Luckily, that document survived time, and was preserved to stand out as a remarkable form of constitution that could well be considered a very progressive antecedent of modern systems of government administration, in the context of its time.

Chapter one

Preliminaries

1. The Directive

The contents of the Charter written by Imam Ali cover two aspects: it describes the function of the different establishments and offices of the government, by means of defining the qualifications and qualities of the personnel who are to be appointed to occupy each position in them. Together with that it contains moral education and policy advice for the appointed governor of Egypt who is entrusted with the task of putting the charter to effect, and to the officials appointed in any position or office. The aim of the second aspect of the Charter is to emphasize that to apply the principles and directives of the Charter successfully and according to Islamic values and principles the officials should possess the righteous character and suitable qualification that enable them to succeed in their mission. Islam asserts that sound moral values and righteous conduct are essential in ensuring that an assignment of running the affairs of the people shall be carried out faithfully and efficiently. To realize that aim Imam Ali composed the items of the Charter to illustrate the Islamic view of governance, and present Islam as a way of life that institutes a balanced relation between religion and the requirements of civic society.

Imam Ali begins the Charter by the following directive:

“This is what the servant of Allah, Ali, the Leader of the Believers, has ordered Malik ben al-Harith (Al-Ashtar), when he appointed him governor of Egypt”.

By this opening statement Imam Ali defines his authority as the head of the state, and describes his assignment to Malik as an official order to be followed and adhered to; more than just a body of recommendations or suggestions by which the governor is guided in his position in managing the affairs of the country and the people. It requires the governor to be subject to accountability for all his actions and management before the leader who appointed him. It charges the governor with the duty of diligently managing the affairs of people and their country; especially that the leader of the state has given the appointed governor detailed instructions on how to carry out his duties, and invested him with the appropriate authority.

In case of any contingency that might face the governor, about which there is no mention in the terms of the Charter, the Imam was sure that his subordinate was capable of contriving ways to deal with any emerging situation. Being aware of this possibility the Imam advises Malik to seek guidance from the way the Prophet conducted the affairs of the first Islamic government in Medina, which the Imam regards as the most suitable beginning for a government in Islam; and by which he himself was guided when he assumed the leadership of the Islamic state.

2. The Leader Presents Himself

Imam Ali defines himself and his position in the state as the authority that drafted the contents of the Charter, and appointed Malik governor of Egypt. He describes himself first as: the “Servant of Allah”, secondly by his first name “Ali”, and finally by his official position as the “Leader of the Believers”, which means the head of the Islamic state after the Prophet (i.e. the Caliph). The order he follows in presenting himself is quite noteworthy: the Servant of Allah, then the individual Ali, and lastly: The Leader of the Believers.

2.1. Servant of Allah. The Imam chooses to assert his subservience to Allah before mentioning his other attributes, following the tradition of the Prophet, who taught people to say in the statement of testifying being a Moslem:

“I testify that there is no God but Allah, and Mohammad is his Servant and Messenger”. The prophet expresses his servitude to Allah before identifying himself as his Messenger.

Islam teaches people to acknowledge that subservience to the Lord comes ahead of man's knowledge of his position in life; no matter what his or her status in society might be. Islam considers it the highest honour for man to be a servant of his Creator. The rationale is that subservience to Allah emancipates man from all other kinds of servitude, be it to any other creature, thing, or entity. It is servitude to the absolute being who is the creator of all things; especially that this servitude is to the Lord who is not in need of it. According to Islamic teachings, this admission of servitude to Allah is the best form of humility by the created towards his creator.

2.2. Ali. After acknowledging his status as a servant of Allah the Imam mentions his first name **Ali**. He did that before referring to his position as the leader of the state, i.e. the Caliph. By doing that he assigned to himself through his personal name a status of a higher value than his position in the state. He said: Ali, the Leader of the Believers; not: the Leader of the Believers Ali. It is related that the Prophet himself was the one who named him Ali. His mother, Fatima bint Asad ben Hashim, wanted to name him Haydara, which is one of the names of the lion; to give him a name similar in meaning to that of her father “Asad” (lion). The new born was then named Ali, and Haydara became one of his other names. He used to be happy to be called Haydara, besides Ali. Incidentally, he is the only one to have been born inside the Ka’bah, the cubicle of the holy shrine of Mecca.

2.3. Leader of the Believers. After mentioning his servitude to Allah and his first name Imam Ali mentions his position as the Leader of the Believers, which means the head of the state. Following the death of the third Caliph Othman ben Affan the great majority of the Moslems in Medina wanted him as Caliph. Imam Ali, under the circumstances, showed unwillingness to accept their pledge of allegiance, although he always believed himself to be the rightful successor of the Prophet. This right is substantiated by much evidence and tradition narrated by a large number of Islamic scholars.

His reluctance to accept the people's choice was based on the fact that many matters had happened in the state after the death of the Prophet, of which he did not approve. To return the situation to the way that prevailed during the reign of the Prophet would require tremendous effort and policy changes which many might be unwilling to support or even accept. He knew that there would be strong opposition if he attempted to rule according to what he believed the right course. When he was faced with that popular insistence from the masses on him to assume the position of Caliphate, he found himself unable to decline. But, anticipating opposition to the policy intended to follow, he decided to inform the people about what was to come, and to declare what measures he was going to take should he shoulder the responsibility of Caliphate. He Stated:

“Leave me aside, and choose someone else. We are facing a situation of many prospects and views. And know you that if I respond to your request I would do as I know right, and I would not listen to what some might say in protest, or in disapproval”.

By such an open statement the Imam informed the people that so many complications had taken place in the state of Islam which, if dealt with appropriately, would create disparity as a

result of conflicting interests. Anticipating what might be the position of those whom he anticipated to oppose his policy, he insisted that voting for him to become Caliph should take place publicly, in the mosque, and in the presence of all. In this respect the Imam succeeded in setting an historic example on how the election of a ruler should be in Islam, when the people are able and free to choose their leaders. It should be a vote in public, free, transparent, and collective. There should be no coercion, no forgery, nor any enticement. He described the way he was elected for the Caliphate by the free will of the people:

“The common people did not give me their allegiance because of a predominant authority, nor by any enticement”.

3. The Major Responsibilities in Administration.

The Imam defines four major responsibilities the governor is assigned to shoulder in the administration of his government, and in his service to Egypt and its people. They are:

“Collection of revenues, defending the country against its enemies, betterment of the people, and development of the country”. These four tasks cover the financial, military, social, and developmental responsibilities the governor is entrusted with.

3.1. Collection of Duties: This is what the state collects from the people out of agricultural production of their land, on livestock, and other levies. It is the most important source for revenue of the state, to provide the means of financing its activities in the service of the community for both civil and military purposes. In the coming chapters of the present work there will be a detailed study of the establishments and communities that are dependent on that revenue, and the methods of collecting taxes and levies.

3.2. Defense against Enemies: These are the measures and efforts required to ensure the security of the state and the people,

who need to feel secure about their lives and belongings. When people feel secure they will be encouraged to work to improve their living conditions, and plan for progress and higher productivity in their enterprises. Their living conditions will be better, the country will thrive, and blessings from Allah will be abundant. Social security is well emphasized in the Quran where people's priorities in life are stated:

“Let them worship the Lord of this house; who has fed them from hunger, and made them safe from fear” (106: 3-4).

Prophet Mohammad defined the priorities of life, foremost of which is security:

“If man had security in his whereabouts, good health in his body, and possessed his daily bread, then he has owned the world in its entirety”. Notice how in the words of the Prophet security comes first in the worldly needs of man, followed by good health, and finally by his daily nourishment. Should he miss security, he would not be happy with his good health, nor would he really enjoy his worldly possessions.

The enemies from which the Imam orders Malik to protect the country could be foreign, or from within. Those from the outside are the foreign enemies who threaten the security of the state. The enemy from within are those who interfere with the security of the people and endanger their life and interests. In order to achieve peace for all the state needs an armed force that could defend its way of life, and its systems and structure. No matter how progressive and secure a modern society is, there is always need of a security apparatus to keep the peace. It is still witnessed today that in situations of natural disasters and social turmoil there are those thugs who break the law and threaten social stability. The gallant military are always ready to help in critical circumstances. In addition to that, each nation still needs

to protect its sovereignty by armed forces against foreign aggression, or at least to discourage it.

3.3. Betterment of the People. Within the context of this Charter the meaning of this phrase is to educate the people to be righteous. One of the most important tasks of a leader, as Islam teaches, is to work hard to educate people to behave in a way that enhances moral values, nurtures them with good manners, and institutes a righteous code of ethics, guided by the principles adopted by the state in its efforts to build a morally sound society. This principle is pronounced by a saying of the Prophet: **“Verily, I was sent to perfect noble manners”**. The Islamic state realizes its objective of the betterment of the people through educational programs, designed to teach them the principles of the divine doctrine: high moral code, social solidarity and cooperation, and adopting a brotherly relationship between them. To achieve these aims the leader should present himself as a model Moslem, to set rule and example, if he is to be obeyed and followed. This explains the great amount of advice and teaching given by Imam Ali to the appointed governor about his personal behavior.

To be well versed in the teachings of the faith, knowledge is the first measure required. The pursuit of knowledge is considered the duty of every Moslem, male and female. The first object in this regard was eliminating illiteracy among the Moslems. It is related that the Prophet greatly encouraged learning and education. He stated that the pursuit of knowledge should be part of life: **“...from the cradle to the tomb”**. He also said: **“Pursue knowledge even if it were in China”**. When the Moslems won their first battle against the army of the unbelievers of Mecca, and took a number of prisoners of war, the ransom he put on each was to teach ten Moslems reading and writing. At that time most of the people in Arabia were illiterate, and some of the prisoners of war were able to read and write.

3.4. Development of the Country. When going through the words and actions of Imam Ali it will be noticed that he had a personal aversion towards worldly matters and a noticeable disregard for its pleasures and temptations, along with a noticeable tendency towards asceticism. He was often quoted as advising people to seek the hereafter as their permanent and final abode. One might misinterpret him in this respect, imagining that he is asking people to totally ignore their daily pleasures and interests. But, when studying the contents of this charter, and all the instructions he gives to the man he appointed to govern Egypt, the picture looks different. He writes in much detail about paying attention to the daily life of the people, to work hard to raise their standard of living, and to secure their safety and interests. It is evident that he does not completely deny worldly matters. He shows great interest in securing all legitimate means of prosperity; and directs them towards the right way that satisfies their aspirations according to the righteous teachings of Islam. He recognizes the right of people to lawful pleasures and happiness, yet saves no effort to educate them to be pious and well behaved, and avoid going to excessive practices in consumption. Islam recognizes the worldly interest of man, alongside calling him to worship Allah, as stated in the holy Quran:

“But seek, through what Allah has given you, the abode of the hereafter; and do not forget your share of this world” (28: 77).

4. Personal Qualities of the Governor:

Having defined the main four responsibilities of a governor and how can he fulfill his duties, and prior to going into the details of his policy and the administrative structure of the government, Imam Ali delivers a set of guidelines to his

appointee regarding conduct and piety, which he offers as spiritual guidance that should place him on the right track in his work. Being aware that a governor might be tempted by his position in power, and to protect him from abusing his duty by highhandedness, the Imam took all care to remind him of his status as a servant of Allah, and to follow His orders, to avoid feeling mighty and above accountability:

“He (Ali) orders him to fear Allah, to prefer obedience to him, and to follow what he ordained in his Book, his obligatory and stated commands; without following them one would not be happy, and would not fall in misery except by ignoring them. Champion the cause of Allah, by heart, by hand and by tongue; for He, whose name be glorified, undertook to render victorious those who champion Him, and to protect those who support his cause. He also orders him to protect himself from base desires, and to restrain it in times of excesses; because the soul is an insistent enjoiner of evil, except those whom Allah has mercy on”.

It is noticed that the Imam keeps presenting to Malik much spiritual guidance and warning in between the paragraphs that deal with administrative and political issues. He begins and ends his charter with them. Islam considers the management of the affairs of people as a sacred responsibility, for which rulers, governors and any officials are accountable, mainly in the hereafter before Allah, who will judge them according to their deeds and policies. The people also have the right to question the policy of their rulers and officials in certain circumstances. This right is well established in the Quran, and in the traditions of the Prophet. When the principles and spirit of Islam are observed, there will be no room for dictatorship.

The Imam is sure of the righteousness of Malik, but is aware that he is not an infallible human being; he is subject to mistakes

and forgetfulness. So the Imam keeps reminding him of what Allah ordains in his holy Book: **“Indeed the soul is a persistent enjoiner of evil, save those upon whom my Lord has mercy”** (12:53). The Imam is fully aware of the power of worldly temptations to which any one in authority is exposed. In order to protect his companion from the danger of those temptations we find him repeating his warnings and moral guidance. He is aware of the possibility of falling in the pit of complacency and self-indulgence as a result of wielding power and authority. Men in authority are always liable to be enticed by the power they wield, and likely to exercise highhandedness in dealing with those under their rule. **“Power corrupts”**. Imam Ali is quoted to have said in one occasion, refusing worldly temptations: **“Oh, earthly world; tempt someone other than me”**. He must have felt the strong temptations of authority and worldly matters himself, and scornfully pronounced his aversion of them. By his advice, which is almost idealistic, he wanted to make any governor and ruler a model person to his people, with his piety, integrity, and good character.

People are more likely to be obedient to and respectful of their leaders when they see them to be of good character, with a respectful manner; and behaving in their personal conduct consistently with what they teach. Imam Ali advises rulers to set themselves as examples to the others. He stated: **“He who sets up himself a leader to people should begin by teaching himself before teaching others. His teaching and education should be by his deeds and behavior, before it is by his words. The one who teaches and educates himself is more worthy of respect and high regard than the one who teaches and educates the people”**.

Imam Ali wanted by this advice and admonition, to be a guide not only to Malik, but to anyone who was likely to assume

any responsibility in administering public affairs. They express the noble values and good manners which Almighty Allah commanded and expressed through his Messenger Mohammad. It is also a reminder to all people, when they comprehend those principles, to measure the suitability and credibility of anyone who might be chosen or appointed to govern them. Everyone is called upon to espouse and benefit from these great ethical values, whether in a place of responsibility, or as a layman; to shape his personal conduct, as well as to judge that of the rulers.

The spirit of this moral education and guidance is to qualify the governor for the task he is assigned to. To ask him to be pious means to remember always that he is under the watchful eyes of his Lord; to be obedient to Him, and to be aware of the temptation of base desires. Any human being in power is likely to be tempted to use his authority, to indulge in excesses to satisfy his desires. Here Imam Ali cautions Malik against indulgence in this respect, and to be in control of himself and curb any inclination to drift towards those desires. Human desires are natural instincts ingrained in any human being. Allah created them in man, as well as in beast, and in every living being. They are meant to be the means for survival and continuity of the species. But He cautions us from giving in to their unlimited animalistic pressure. Such behavior will divert those desires from their fundamental purpose, which is to maintain the existence of species, and we are warned against considering them the end rather than the means. History teaches us that most of the disasters that have befallen human society, and caused so much misery to man, were prompted by selfishness, by coveting money and power, and responding to base worldly desires and ambitions.

The base human desires are likely to become intensified among those who happen to be in control of either money,

authority over people, or of both. The one with authority will find himself tempted to dictate his will on the others, and enjoy absolute power when he gets all that he desires. In that case he will be pleased to use his authority to satisfy his desires. Human history is full of examples of people in authority who claimed the right to do whatever they desired, with the belief that they were entitled more than others to do so. It is a false feeling of superiority, which will ultimately end up in a miserable destiny for them, as well as for others, whether in their life, after their demise, or in both. One of the wise sayings of Imam Ali is: **“He who reigns appropriates”**.

Chapter Two

The Islamic Vision of Governance

1. The Mission of Governors

The Imam pays great attention to the relation between the governor and the people in his state. Considering it a matter of great importance, he puts it at the head of his directives and instructions to the appointed governor of Egypt. He says:

“And be aware, Malik, that I have sent you to a country which had witnessed many regimes; some were just, and some unjust. The people there shall view your matters the same way you used to view the governors' matters before you; and shall say about you what you used to say about them. Indeed the righteous are identified by what Allah puts on the lips of his servants”.

1.1. Egypt. Malik was appointed by the Imam as governor of Egypt, which was a country that was home to, or part of many ancient civilizations: Pharaohs, Assyrians, Persians, Greeks, Romans, and others; and was governed by many regimes, some were just and some unjust. This long history left a rich legacy of rulers, and gave its people a rich experience with the regimes that governed them. Drawing the attention of the man who will govern those people to that historical fact will put him in the face of a tough trial in governing a nation of such a rich experience in culture and politics. Anyone who shoulders the responsibility of governing that place should take those realities into consideration. He should try to prove to the people that, in his governing, he is guided by justice and the right; that he appreciates their interests, and works for their welfare. This kind

of nation is very likely to be able to distinguish between a just government and an unjust one.

Throughout history people tend to draw comparisons between past and present regimes and governments. Their judgments are more likely to be accurate when they have a history rich in experiences with rulers. The conduct and policy of a ruler becomes a legacy, and the people keep talking about the life history of this and that ruler; which one of them was just and which was an oppressor. No matter how much the rulers try to falsify and fake history, or buy off some historians, they shall never succeed in falsifying all history. The truth will ultimately prevail, and remains steadfast in the face of all attempts to distort it.

1.2. Past Experience. After the Imam draws Malik's attention to the importance of the country he will govern, and to the long experience of its people with the rulers, he advises him to appreciate the vital importance of public opinion there. He wants him not to disregard what the people say about him and his government. The best way to achieve that aim was to remind him of how he used to look at the conduct of the rulers when he was among the public, and judged them accordingly. He should, therefore, expect the people to do the same with him, and judge him according to what they see in his conduct and policy; just like he used to do with the rulers before. It is related that Malik was very critical of the bad conduct of the governor of the region of Koofa during the reign of the third Caliph Othman. The people arranged to send a delegation to raise the issue with Caliph Othman in Medina, complaining about the conduct of the governor; and Malik was one of the delegates.

1.3 Public Opinion. To emphasise the importance of public opinion and its effect on state affairs, the Imam presents to Malik a unique wisdom in this respect:

“Indeed, the righteous (governors) are recognised by what Allah put on the lips of his servants in their favour”. This statement of the Imam is a very remarkable early realisation of the importance of public opinion as a judgement on the conduct and policy of the rulers, about their righteousness or their corruption. The rulers were always able, and to a certain degree still are, to distort the reality of public opinion, and to manipulate the recording of the course of events to suit their aims by means of media systems. They can buy off those who are ready to praise them and glorify what they do. This is especially dangerous when the mass media are so efficient and effective that their audience will become subject to their power of argument, whether truthful or distorted.

Is it possible to know where the real truth is through what the mass media portray? When we deeply examine the words of the Imam we find that he was referring to truthful statements in the words of the righteous people. That means that the validity of what people say depends on their free opinion which springs out of their clear conscience and impartiality, governed by their ethical values. They are the words of those who care to be pious and righteous in what they utter and do, and fear no authority but that of Allah; free of the influence of the rulers and their system. The righteous Moslems do not seek worldly gains in what they say or do, at the expense of the truth and their personal integrity.

At the present time this matter has become very difficult, as a result of the tremendous development in the mass media, and to what degree public opinion can be influenced, and the ability to manipulate the way people think. But reality and truth will ultimately prevail, and there will be those who will champion them. There will always be those with clear conscience and free opinion, who embrace and defend the truth, mindless of material temptations on the other side. Many rulers are able to buy the

support of lots of people; this is human nature. Yet, there will always be some staunch freedom fighters, who are immune to enticement and temptations.

1.4. The Verdict of History. Who makes history? Peoples do. History is a record of what happens to nations and individuals, the important and the trivial. It is to be found in their literature, folklore, and daily events; in whatever they say and do. Historians study those events, analyse them and come out with theories and hypotheses about the course of events in human history. They investigate historical events, not invent them. When a historian is honest and scholarly in his work and knowledge, objective in his studies, impartial in his judgements, he will produce authentic treatises on history. Should he sell himself to whoever pays more, or writes false history to satisfy the whims of the rulers, it won't be long before his falsehood is betrayed, and he loses his credibility. There are incidents in history, ancient and modern, when rulers paid some scholars to have false history written about them. But that can only be short-lived, thanks to scholars who are honest, to rigorous scientific methods of research, and to sound scholarly traditions. The truth ultimately prevails.

1.5. The Moral. By studying the sayings of the Imam regarding the importance of what the righteous people say about their rulers, we find him asserting that the best means to earn credit is by doing good deeds. He advises Malik to try to consolidate his position and authority among the people by his good deeds, to consider it as something to treasure, and an assurance of a happy end. He tells him:

“Let it be that the best thing you like to treasure is the assets of good deeds”. Islam takes meticulous care in building the character of the individual; trying to educate him in two matters: belief in Allah, and good deeds on earth. Those two

matters constitute the fundamental elements in the faith of Islam: belief in Allah the one and only one God, and doing good deeds on earth. The Imam did not have any doubt about the sound belief of Malik; so he went on advising him to consolidate his faith by doing more good deeds. His aim was to teach him that the most valuable treasure for man with Allah is the treasure of good deeds; which will also be a treasure with the people; the pious shall make them speak favourably of him, and they will appreciate his fair policy without enticement or coercion. Good deeds speak for themselves; the Imam states: **“So, let your good deeds speak for you, through the words of the righteous”**.

The service a ruler is expected to give his people is a responsibility, unlike any other one. He is expected to achieve great feats that correspond to the responsibility he shoulders for the life of those he governs, and responds to their aspirations. Theoretically, a pious individual can seclude himself from any social relations and activity, and devote himself to solitary worship and meditation, avoiding bad deeds. By that he may hope to gain the satisfaction of Allah, and covet his reward. In that case that person will benefit only himself; but would it benefit his community? Better than that is to be useful to others. The Prophet stated: **“The best of people is he who benefits people”**.

2. Humane Disposition towards People

The Imam emphasizes three matters of consideration in the policy of a governor towards the subjects. He says to Malik: **“Envelope your heart with mercy for the subjects, with love of them, and with kindness towards them”**. The Imam instructs Malik to make mercy, love, and kindness like an envelope on his heart, just like an undershirt garment that closely envelopes the body. This is a fine analogy. It means that those

feelings should be very close to your heart, closer than anything next to your skin.

2.1. Mercy. Man may accommodate many feelings towards others: mercy or cruelty, likeness or aversion, love or hatred. When mercy is accommodated close to the heart it becomes more attached to it than other feelings. It will shape behavior, and protect a man from giving in to adverse feelings. Mercy is the most effective sentiment in human relationship, and the most potent factor in building sound human relations based on common social solidarity. It creates hope, binds the hearts together, and defeats hopelessness and pessimism.

Islam is the faith of mercy. We read in the introduction to every chapter in the Quran: **“In the name of Allah, the all Merciful, the most Merciful”**; and Allah is named by the attribute **‘the all Merciful’** more than by any of His other attributes. He teaches us that there is no place for despair when mercy is warranted by Divinity. Consider the following verse of the Quran:

“Say, Oh My servants who have transgressed against themselves. Do not despair of the mercy of Allah. Indeed Allah forgives all sins. Indeed He is the all forgiving, the most merciful” (39: 53). Then Allah confirms the eternal attribute of mercy in Him:

“Your Lord has decreed mercy upon himself” (6: 54). Then He implants hope in the hearts of his servants by describing Himself:

“He (Allah) said, My punishment - I afflict with it whom I will, and my mercy encompasses everything” (7:156).

It is significant in this respect that Allah described the Prophet of Islam as a mercy:

“And We have sent You but as a mercy to the worlds” (21:107).

In this verse Allah defines Islam within the concept of mercy, more than any other. Through this meaning the concept of mercy becomes an integral system of relationship between Allah and the people on the one hand, and between man and man on the other; establishing mercy as the foundation of life in Islam. All that Allah enjoins or prevents are but mercy for us and amongst us; all goodness is enjoined, and badness is forbidden. Mercy was ingrained in the mind and heart of the Prophet to such a depth that all his conduct was characterized by mercy.

When merciful conduct becomes the central social trait, influencing the behavior of people, and governing their relations, whether within the basic unit of society which is the family, or within the community at large, the way to evil deeds becomes constrained. This is especially true when the relation between rulers and common people are based on the principles of mercy and mutual trust, and the tendency towards cooperation and leniency between community members is consolidated; aggressive conduct among individuals and groups shall be very limited in scope. Should there be irregular and exceptional cases of aggressive or unsociable behavior by some members of the community, people and rulers are to cooperate to contain it within the boundaries of law.

2.2. Love. The Imam asks Malik to love his subjects. Who are those people he asks him to love? They are the Egyptians; the inhabitants of the ancient land of Egypt; its indigenous people, and those who migrated there after Islam. Their country is far away from the capital of the Islamic state. Malik had not been acquainted with most of them, save the very few. How could one love those whom he does not know; nor is sure of who is good and who is bad amongst them; or whether they are worthy of love or not? Yet, he is ordered to love them, just the same.

The moral in this order to love the subjects is that their governor, who is assigned the task of running their affairs and promoting their welfare, should look at them as a group of human beings he is responsible for, to secure their legitimate rights, and to look after their welfare and happiness. No leader can achieve those aims for his people unless he feels deeply responsible to secure a decent life for them, without necessarily knowing every one of them. When the governor has the humane feeling of love towards his people he will be strongly motivated to serve them, and will wholeheartedly spare no effort for their benefit. When one loves, he will sincerely care for and serve his beloved. Islam is the way towards human integration, physically and morally. Love is one of the most vital elements in the essence of this integration. Its role in promoting progress in human community is well expressed by Imam Mohammad Al Baqir, a great grandson of Ali, and one of the progeny of the Prophet, who asserted: **“Is religion but love!”**

When we look closely at what has been said about how a ruler should love his subjects, it becomes clear that the Imam had elevated the relation of love from merely a personal feeling between individuals, which emanates from a personal inclination, to a state of universal human bond, to become a **duty** of the rulers towards people. It is to be a sacred responsibility on the rulers, raised above selfish tendencies, and a basis for building a righteous and cohesive society, guided by the noble principles propagated by Islam. When a ruler is able to lead his community to this state of relationship and this degree of love it will be reflected in how his people take him. They will generally grow to love him, save those who are the exception.

One would logically wonder: is the love relation between the ruler and his subjects a one way movement; that it is the ruler to love his subjects? What about the other party? When do people

love their rulers? When the people have the right to choose their ruler without any coercion or force, they will vote for him and express their satisfaction of him in preference to other candidates. When they find him falling behind their expectations, or behaving in an unsatisfactory manner, they will vote for another one when his term expires. That is what happens in modern democracies. As for the Islamic system of choosing a ruler, the masses are invited to give their pledge of allegiance to a Caliph, out of contentment with his personal qualities, and acceptance of his policy, without any coercion. When they give a pledge of allegiance to a ruler they also expect him to consolidate their confidence in him by appointing suitable subordinate governors over the different districts of the state, and other officials too. By then the ruler will be personally responsible for the conduct of his appointees. This responsibility is expressed by Imam Ali in one of his encounters with the third Caliph Othman. He said to him: **“By Allah. Should any of your governors (whom you appointed) commit an injustice, be he where the sun sets, his guilt will be shared by you and him”**.

If a governor is instructed to love his subjects, and to take care of them like he does with his offspring, as directed by the Imam, then how shall the subjects love their governor? It is not expected that a ruler or a governor is able to win the love of all his subjects, without exception. There are different interests and tendencies in society. Some people will love him, while others, who find his policy does not satisfy their interests, will oppose him; or might even be antagonistic to him. So, it is impossible to win the love of all. The love of whom should the governor try to win?

According to the ideas of the Imam people are classified into two social categories: the **special** class, and the **common** people. He openly expresses his inclination towards the commoners, and

instructs putting their interests as the first priority. That does not mean that the governor should neglect the special class, or deny them their rights. But the Imam takes all care to ensure that the rights of the special class are not to be satisfied at the expense of the common class. We shall see later on that he advises Malik to depend on the commoners, and teaches him to consider the inclination of the commoners towards him as evidence of the success of his policy.

It can be construed from the gist of the Imam's instructions to Malik that the love of a governor towards his subjects is part of his duty towards them; not because they are what he wants them to be. He is to love them because they are the community he is entrusted to serve, and charged with the task of realizing for them their legitimate interests. In principle Islam considers rulers and governors responsible to Allah for what they are entrusted with; and Allah wants happiness for his creatures. When one of them abides by the will of Allah, and makes his subjects happy, he will ultimately achieve happiness for himself. The noblest kind of love is that which is for the sake of Allah; a selfless love is when the lover does not require any specific personal gains from his beloved, and asks nothing in return. This is a state of spiritual pleasure, which allows one to gain a status with Allah superior to any worldly gains. By this directive Imam Ali has elevated the relation of love from a merely personal standing of the ruler into a humane social responsibility.

When the ruler takes a negative attitude towards his subjects, and does not feel concerned about their interests and welfare, with little or no feeling of love for them, he will be likely to look down at them, to become arrogant, and care little about their welfare. That action will soon be reflected in the people's attitude, and will shape their feelings towards him. No ruler can conceal the feeling he carries towards his people for long; sooner

or later they will discover how he feels towards them. When they are not on good terms with each other the relation between them will be strained, confidence shaken, and mutual trust lost. In this situation the ruler will fall into the pit of mistrust in all those around him, especially in the broad masses. Doubt and suspicion will dominate his thinking, and he will tend to suspect that everybody is plotting against him, and looking forward to getting rid of him.

Dictators and despots are prone to suffer from paranoia. Some will pretend that they were loved by their people. But when they become aware of the lack of love between them and the people they will put all their effort in protecting themselves from imaginary enemies. They will begin to feel isolated, and eventually end up in losing contact with reality. They will also feel no desire to serve their people, considering them to be undeserving. As a reaction to this situation the people will realize that their ruler had gone headlong to secure his own safety, to serve his own interests, and is neglecting theirs. As a result they will have suspicion in anything he does, or a decision he takes, even if there was some benefit in it for them. They will have the feeling that whatever their ruler does is not in their interest. Such a precarious situation is most likely to create a rift between people and rulers.

When the relation between a ruler and the people falls into a vicious circle of mutual doubt and mistrust, the ruler, on the one hand, will grow more and more suspicious of all those under his rule. On the other hand, the people will suffer from the uncertainty of their condition. The gap between the two parties will get wider, and the ruler shall resort to tyranny and oppression to protect himself from imaginary dangers, much of which will be subjective. By then he will be in one of two situations, both of which are bad and destructive. The first is the

feeling of megalomania, which is an involuntary attitude the human self takes to create a false sense of grandeur. The other is the feeling of solitude and isolation from his community, as a result of losing confidence in all that surround him. He will absolve himself from any fault or guilt, and blame others for his mistakes and defective policies. He will satisfy himself by accusing everyone of not understanding his plans and policy; he does all that to shirk responsibility. This case will get worse and worse, and his hatred towards the others will intensify when his plans ultimately fail. As he imagines, his efforts did not find those who understand or appreciate them, or those who loyally help him in realizing them.

Feelings of megalomania, often accompanied by paranoia, will drive the despotic ruler to punish his staff members, and to purge them if need be, when things start to go wrong. He will charge them with all the consequences of the failure of his plans and policies, and the mismanagement of his administration. He does all that to ward off responsibility. Soon he will find himself alone, with no one to be trusted. He will lose confidence in those who are closest to him; and have nightmares of imaginary conspiracies all around him. He will lose the ability to distinguish between who is loyal to him and who is not, which will drive him to defend his position at any cost. Such a state of affairs is likely to lead to a chaotic situation whereby people will give up any hope in their rulers. Even those who benefit from his government will look forward to see him ousted. They might even collude against him; not because they believe in a change for the better, but in realizing that siding with the regime exposes their interests to danger.

2.3. Kindness. To be kind with others is to deal with them in a gentle and amiable way, in words and in deeds. It is stated in the Holy Quran:

“Allah is kind with his servants” (42: 19). To be gentle with people in words is to obey Allah's orders: **“And say nice words to people” (2: 83).** The prophet teaches the Moslems to use nice words: **“A pleasant word is a charity”.** And the Quran teaches people that charity will be rewarded by Allah. A pleasant word opens up the heart and pleases the mind; it deflates rage, invites cordiality and establishes trust. People always closely observe the way the ruler deals with them. If they find him polite and gentle they will consider him an example and behave like him; but if they find him rude and brutal his behavior will be reflected on theirs.

Another aspect of kindness is fair treatment. The Prophet said: **“Religion is noble manners”.** When the behavior of the ruler towards people is fair and just they will like him, and take him as an example; except those who deviate, who will soon be identified and isolated by the community. Dealing with people kindly is a principle of conduct in Islam: Allah says to his Messenger:

“So, by mercy from Allah you were lenient with them. And if you had been rude and harsh in heart, they would have dispersed from around you” (3: 159). In this verse Allah describes the leniency of the Prophet as mercy from Him. It means that rudeness and cruelty and harsh words are distant from the mercy of Allah. The manners of the Prophet made his companions love him and rally around him in whatever he ordered them, with no intimidation or coercion. They listened to him and obeyed him.

When the Imam instructs Malik to be kind towards the people, he is in fact asserting a fine teaching of the Quran and the tradition of the Prophet which, if followed, his relation with his subjects would be built on basis of mercy and love. He will be for them like a father and custodian, and they will be loyal to

him, unlike if he was rude and a brutal despot. History teaches us that people detest the cruel heartless ruler, no matter how they appear or pretend to be different. Although Allah teaches his Messenger to be full of mercy and kindness, winning the hearts of his people and enjoying their obedience, He informs him that had he been rude and heartless they would not have obeyed him. Therefore, if a ruler wants to win the approval of his people, and succeed in his government, he should abide by those three recommendations: to treat his subjects with mercy, love, and kindness. We learn from many lessons in history that a rude and oppressive ruler is detested by his people, and they only obey him in fear and to avoid his evil, not that they are convinced that his rule is just and right. Any time his position is about to be shaken for any reason they will desert him, even those closest to him, the loyalty of whom he took for granted, having bought it with money and concessions.

2.4. Avoiding Despotism. The Imam strongly warns Malik of the danger of becoming an absolute despot on the subjects. He says to him: **“Don't be (like) a wild predator on them, coveting to devour them”**. The gist of this statement is that a ruler might consider his authority over the affairs of the people as a license to overpower them against their will, enjoying it as a privilege and concession. The Imam strikingly depicts the despotic ruler, who controls the destiny of people under his rule and dictates his will on them, like a wild animal that devours his prey to satisfy his animalistic desire, as if they were a prize.

It is noticed that Imam Ali comes up with this strong warning immediately after his recommendations to show mercy, love and kindness towards the people. He is clearly trying to emphasize the contrast between the two kinds of policy in dealing with the subjects: mercy versus oppression. He seems to imply that if the governor does not follow his instructions he will end up dealing

with people's destiny like a wild predator with its prey. It might be concluded from those directives and warnings that mercy, love, and kindness preclude cruelty, highhandedness, and dictatorship.

3. People are Equals in Civil Rights.

The Imam classifies the citizens in the Islamic state into two categories: Moslems, and followers of other faiths; but he orders the governor to consider them equals in their civil rights and citizenship standing: **“Truly, they are two categories: either a brother of you in religion, or equivalent to you in creation”**. This statement stands high as the most prominent thesis of the Charter written by Imam Ali regarding the vision of Islam in governance and human rights considerations. It asserts that all people are equal in their civil rights, and they are worthy of being humanely governed by their rulers, irrespective of their convictions or ethnicity.

The concept of egalitarianism, enhanced by piety, is explicitly described and well established in the Quran:

“O mankind; indeed We have created you from male and female, and made you peoples and tribes that you come to know each other. Indeed the most noble of you in the sight of Allah is the most pious” (49:13). This verse addresses humanity at large: ‘O mankind’, not only the Moslems. By the words of the Prophet, people are equal children of Adam: **“You are all from Adam, and Adam is from dust”**. He pronounced his protection for Jews and Christians, who live in the state of Islam, saying: **“Anyone who hurts the people of the Scripture I will be his opponent on the Day of Judgment”**. The moral of this statement refutes the actions and claims of those fanatics who treat with animosity all the Christians and followers of other

religions who live among the Moslems in their own country, or elsewhere.

The other category of citizens includes those who are not Moslems. Imam Ali considers this group of people worthy of the same level of civil rights, by virtue of the concept that all people are equivalent in creation. They are all human beings created by the One Lord, granted full rights to live and prosper; and are entitled to all the civil rights and amenities. The people in question in this part of the directive are the original inhabitants of Egypt. Besides the Moslems, there were the Christians, the Jews, and perhaps what remained of the ancient people of this country. Islam guarantees the right of life to everyone, especially to the 'people of the Scripture', i.e. Jews, Christians, and Sabeans (Mandaeans).

Islam accepts no grudges against people of the Scriptures, that they believe in the one and only one Lord, the creator of the universe, believe in the day of resurrection, and do good deeds: **“Indeed, those who have believed (in Prophet Mohammad), and those who were Jews or Sabeans or Christians- those who believed in Allah and the last day and did righteousness- no fear there will be concerning them, nor will they grieve”**. (5:69). The only people whom Islam strongly opposes are those who deny Allah, or worship other deities along with Him.

Imam Ali takes a compassionate stand towards all the subjects in the state. It goes beyond doctrinal, racial, and tribal affiliations. He instructs the governor to deal with the people as human beings, being Moslems or non Moslems. All should enjoy the same civil rights and social opportunities. By these principles the Imam demonstrates how Islam treats people at large in a humane manner regarding their right to life; antedating much of modern human rights conventions. It guarantees that every individual is entitled to enjoy the life given to him by the

Creator, irrespective of his or her convictions or affinity. In fact modern humanitarian agencies are trying hard to guarantee some of the objectives that Imam Ali so early outlined in this charter. It is a fact that in many modern democracies a certain degree of racial discrimination is still in practice, whether in job opportunities, in education, or in judiciary treatment.

4. Humans are Fallible.

When the relation between rulers and people is based on mercy, love and kindness, Imam Ali considers it to be the way to deal with mistakes and frailties. He draws the attention of Malik to the fact that they are human beings, subject to make mistakes, and are in need of treatment that makes allowance for their misgivings, in an understanding manner, and their need for forgiveness. By a policy like that society will have the opportunity to progress, and relations between all sectors of the community to become generally sociable and productive. To achieve that situation he recommends a policy of forgiveness towards the errant.

4.1. “To err is human”. Imam Ali shows deep understanding of human nature, as he considers people prone to commit mistakes, intentionally or unintentionally:

“They make many errors, and are subject to fall into flaws; they may act wrongly, whether intentionally or by mistake”. The Imam realizes the fact that by their nature people make mistakes. If the ruler or the governor wants to call to account every one for all the mistakes and errors made by him or her, the state will be fully preoccupied and overwhelmed with calling all wrong doers to account. There will be little time for progress and development, and the administration will fall into the pit of becoming a police state, whose only concern is to chase all wrong doers, and try them for their mistakes, the trivial

and the serious. Society will then enter into a vicious circle, and the gap between rulers and people will widen, and the state will be in need of a large body of law enforcers, police and judiciary.

On whom does the state depend for carrying out the task of law enforcement? How would it be possible to get the required number of just officials who will chase and try every wrongdoer, and where shall they be found? Aren't they from the same community, themselves prone to commit mistakes and overdo their duty; whether in the way they monitor people's behavior, or in enforcing the law? Like every human being they too are subject to excesses and transgressions. Who will then bring those officials to account?

When the state security and justice systems become fully occupied in trying people for every mistake and fault, whether done intentionally or otherwise, those systems will have the false feeling of power, and are likely to become overconfident. They will feel separate from others as a result of the great authority they are invested with, and the power of deciding the fate of others. They will also develop a tendency to have distrust in people, and put them under accusation by the slightest pretext.

When the mutual confidence between people and the apparatus of security and justice of the state is shaken, it will be reflected in the behavior of the people, who will have no confidence in the rulers and their systems; relation between the two parties will worsen. This might lead the state to legislate laws that protect its systems from any responsibility for the mistakes they might commit. In extreme cases, the whole of society will fall into the grip of absolute dictatorship and tyranny, where rights are lost, and the strong devours the weak. The Imam pays attention to this matter, and we shall find him repeatedly warning Malik of the danger of despotism, and directs him to handle matters in a humane way, guided by

Islamic principles and values, which Allah sent as mercy to mankind.

Emphasizing the possibility of people being prone to flaws and mistakes means that there are many reasons that might drive them to be so. The Imam explains that people are likely to face many problems in their lives, which could be the reason behind their mistakes and flaws, and might drive them to commit sins and offences. To draw the attention of the governor to those real possibilities is an invitation to him to do his best to understand them, and to find the means to help people avert falling into their grip, which makes them commit the undesired faults. As soon as the ruler comes to know those reasons, his duty shall be to spare no effort to ward them off, and to help people avoid them, or get rid of them.

A thief might be someone used to this kind of conduct, to satisfy his whims and greed; or he could well be in need to feed and support his family, and is unable to resist the temptation to steal. The Quran tells us: **“Man was created weak”** (4: 28). In this respect Islam considers the state responsible to provide the citizens with the means of respectable opportunities in life, which helps them to avoid disobeying the orders of Allah. Society too is jointly responsible to help those in need. Imam Ali asserts this responsibility, saying: **“Allah ordained that the livelihood of the poor is in the wealth of the rich. Whenever a poor man is hungry it is because of what a rich man has enjoyed; and Allah will question them about it”**.

The Imam recognizes the fact that circumstances might drive people to commit mistakes: **“...and they may act wrongly, whether intentionally, or by mistake”**. There is a big difference between the two. Intentional mistakes means the doer knows what he or she is doing, and may not care about the consequences. But if they make mistakes unintentionally, or in

ignorance of what is right and what is wrong, they will be offered pardon if they desist. Allah calls to account and inflicts punishment on those who insist on doing wrong deeds, but forgives those who do them by mistake and repent, and opens the gates of mercy and forgiveness: **“And there is no blame upon you for what you have erred unintentionally, but (only) for what your hearts deliberately intended; and Allah is forgiving and merciful” (33: 5).**

4.2. **“To forgive divine”.** The Imam takes guidance from the Holy Quran and the Tradition of the Prophet in what he orders Malik, and asks him in turn to be guided by them too. He is told to offer his pardon and forgiveness to wrong doers; just as he hopes to get forgiveness from Allah. He says: **“So, grant them your forgiveness and pardon, the same way you would love and be satisfied with the forgiveness and pardon Allah grants you. You are over them, and the Leader (the Imam) is over you, and Allah is over the one who appointed you. He has found you good enough to manage their affairs, and put you to test through (governing) them”.**

The Imam keeps reminding Malik of the presence of Allah, who is the all mighty; and that no one shall manage without His pardon and forgiveness. That is the way he motivated the governor to forgive and pardon people for what errors they might make, intentionally or not; just as he himself needs to be forgiven and pardoned by Allah. This reminder is a subtle warning to protect the governors from the danger of falling into the trap of arrogance and conceit, as a result of the power and authority they wield, unless they keep remembering the Lord above.

4.3. **Be humble.** Any human being is prone to feel powerful when he finds himself in control of the affairs of those under his authority. The Imam realizes that Malik, like anyone else, is

subject to such a condition. Therefore, he wanted to protect him by reminding him that no matter how strong and able he might feel he will always be weak and in need of mercy and forgiveness from Almighty Allah. There is a vital lesson in these teachings for everyone who wants to take a moral. The pages of history are full of stories about despots who had a tight grip on the destinies of people; who were ferociously eager to satisfy their greed for power. The Imam is appropriately warning every despot and tyrant that Allah shall indeed humiliate and degrade them, no matter how powerful they thought themselves to be. He emphatically asserts this reality by saying: **“Beware of aspiring to be on a par with Allah in His majesty, or matching Him in His might. Surely, Allah debases every tyrant, and humiliates the vainglorious”**.

Chapter Three

Policy with People

Introduction

Malik Al Ashtar had not occupied the position of a governor in any country in the Islamic state before this assignment. Yet, Imam Ali entrusted him with the job of governing an important country which is Egypt, considering him a suitable leader on the basis of his sound belief in Islam, his good character, and his loyalty to the Caliph. To guide him to success in his mission, and to protect him from the temptations of his position and authority, Imam Ali did all he could to advise him to avoid having any conceit and, and to abide by the will of Allah in managing the affairs of the people and their country. Throughout the body of teachings and instructions of this Charter Imam Ali was very anxious to warn Malik of the dangers of feeling too much of himself, which might lead him to act like a despot, and possibly to be afflicted with megalomania. The best advice would be to keep reminding him that no matter how potent he felt, Allah above him is the absolutely most potent. The following are a number of advices presented to Malik regarding his personal attitude, followed by a number of instructions on the best policy of running the affairs of the people and the country.

1. Modesty

Realizing how dangerous megalomania is, the Imam comes up with the strongest warning to Malik of the danger of falling into that predicament. He teaches him that anyone who feels mighty, he is in fact trying to imitate Allah in his might and

power. He states: **“Beware of trying to be on a par with Allah in His majesty or to match Him in power”**. It is emphatically stated in the Quran regarding the end of those who try to be mighty:

“And they (the messengers) sought victory (from Allah); and every obstinate tyrant was disappointed” (14:15).

Many tyrants and emperors were deceived by the authority they possessed in ruling their domains, and behaved like demigods. Some even claimed that they were gods, as did some of the Pharaoh Kings and Roman Caesars. One of the Moslem depots in modern times was driven by such vanity and false grandeur that he assumed ninety nine attributes, just as Allah has ninety nine fine attributes, as mentioned in the Holy Quran. The entire world witnessed the miserable end of that vain tyrant. He was so infatuated with his personal image that he used to spend hours and hours intently gazing at the great number of his personal portraits in art galleries, standing for hours in front of them, enjoying the many ways he was depicted. While the people mocked him in private, the adulators praised his actions, and made him more and more oversized portraits and statues, to satisfy his greed for the feeling of superiority over everyone and everything around, him. Like **Big Brother** he behaved, trying to create an Orwellian society in his country.

In the verse of the Quran mentioned above a tyrant is described as wretched and disobedient. The wretchedness of a tyrant emanates from the fact that he can never be satisfied with whatever he owns. And no matter how powerful and mighty he pretends to be, deep down he feels the reality of his insignificance; despite trying to convince himself of the contrary. He will always brag and pretend, and practices highhandedness on those under his control, only to satisfy his vanity and arrogance; but he shall never taste real happiness or

satisfaction. He will remain hungry for more feelings of superiority and haughtiness. As for disobedience to Allah, the tyrant disobeys his Lord who orders him to be humble and submissive to Him. Vanity and grandeur engulf the tyrant with a false feeling of might, leaving him preoccupied with his own subjectivity. He will not be able to know where the Right is, nor the real value of things; and will get lost inside his own illusory self-image.

2. Arrogance is Destructive.

“And do not say: I am authorized and should be obeyed; as this will ruin the heart, exhaust religion, and exposes the authority to possible change of hands”. A ruler might believe that the authority given to him, and the power generated by that authority, make him feel entitled to have absolute power over his people, and expects them to be obedient to him. The Imam draws Malik's attention to the risks of this attitude. He warns him that it will ruin his heart, meaning his soul and mind; and weakens religion, because the ruler will claim that whatever he orders is backed by religion. He will burden religion with what it does not allow. Many rulers justify what they do as an implementation of the rules of religion; tempting them to assume divine authority on earth.

When a ruler exercises his authority excessively, issues orders as he likes, and expects his people to abide by them, they will soon be fed up with that, and become frustrated at being bound by the many orders and restrictions. It is human nature that when someone finds himself in a commanding position he will relish the exercise of authority, and covet more of it. This tendency satisfies the desire to control others. Soon society will suffer from an over-abundance of all kinds of orders and restrictions, and people will be left with little room for freedom,

as is the case in totalitarian regimes. As a result of such a state of affairs people will find it impossible to abide by all that the ruler ordains. Laws and directives, when they become so many, may contradict one another, and those charged with enforcing them will find it difficult to know which order has annulled which. It often happens that the ruling authority in totalitarian regimes will remedy one mistake by another, throwing society into a state of confusion. The Imam condemns such a state of affairs, and considers it to be prone to instability, and to change of hand. It can be concluded from the Imam's warning about the dangers of imposing the will of a ruler on his people against their acceptance that there are three risks:

2.1. At the individual level, the ruler is likely to start feeling an exaggerated sense of power. This will confuse his perception of reality, and lead him to be conceited and over confident. He will also be overcautious of others. When a ruler goes on issuing orders and prohibitions the way he likes, expecting people to obey him, but finding little obedience from them, his heart will be full of wrath towards his people, believing that they have no right to disobey him. That will create a state of mistrust between him and the people, and matters will go from bad to worse.

2.2. When there is no mutual trust between the ruler (especially when he claims to be supported by religion) and the subjects, religion will be the first aspect of life to suffer, driving people to suspect the rationality of its authority. People will be oppressed, and start to feel that their ruler is using religion to impose his authority on them to satisfy his own personal interests. The situation will be more grave when the ruler can buy some of the clergy who are ready to support him for worldly gains. This situation will alienate the people, discredit this kind of clergy, and further make the ruler go too far in trying to control his people. In this case the biggest loser will be religion,

because the ruler will oppress the people in the name of religion, and religion is innocent of all that. Unfortunately, the history of human societies is full of such examples, in all ideological regimes where rulers assume that they were ruling in the name of God.

2.3. The third risk is social. The Imam states that this kind of policy leads to sudden political changes, like public upheavals, civil disobedience, or revolts. At the beginning there will be a loss of interest by the people in what is going on, as a result of the ruler monopolizing every aspect of life. Society will lose faith in the governing body, and government will be isolated and vulnerable to changes, whether internally or externally. Internal change is represented by the failure of mutual understanding between the rulers and the people, and among the social groups. The strong will eat the weak, social conditions will deteriorate, bribery and favoritism will prevail, and society will be the greater loser. Ultimately the barrier of fear will be broken, and the country will be in a state of turmoil, and the ground prepared for uprisings.

Changes from outside is possible when a foreign power plans to conquer the country and oust the existing ruling power to satisfy its own interests. This aim will be quite possible to achieve for many reasons. There won't be many in the country with a genuine desire or readiness to defend a despotic and selfish authoritarian regime. The most dangerous state is when the armed forces lose their faith in the cause they are supposed to fight for. The whole institution will lose its legitimacy, and the issue becomes a matter of defending one family or even one dictator, who tries to stay in power at any cost; tightening his grip on the destiny of the nation. This kind of rulers assumes a false legitimacy to their authority, and asks the people to believe in it, even asking them to die defending them. In the meantime,

the closest allies of the ruler will prepare themselves to abandon the one who had put his trust in them. In the crucial moment everyone will escape, carrying what they gained, leaving the one who trusted them to his uncertain destiny. There is a very wise saying of the Imam in this respect:

“Whenever anyone puts his money in the wrong place, and with those who do not deserve it, Allah will deny him their gratitude, and their love will be to others. Should he one day lose his footing and need their support, they will be the worst of friends, and the meanest of companions”.

3. Righteous Moderation

“Let it be that the matters you favour most are the very righteously moderate, the most universal in justice, and the most collectively accepted by the subjects. The resentment of the commoners dispenses with the contentment of the specials; and the resentment of the specials is acceptable with the contentment of the commoners”. The statement above cover three aspects of governing policy: moderation, universal justice, and collective acceptance.

3.1. Moderation. The concept of moderation in Islam does not mean a compromise between two conflicting sides. It is a matter of principle to support the side that is right. It is impossible for two conflicting causes to be both right. In one of his statements Imam Ali stated that when two claims were on opposite sides, one of them must be wrong. The matter of right or wrong is determined according to the principles of Islam, which are a continuation and perfection of the messages Allah inspired in his prophets and messengers before. One aspect of moderation can be observed in the matter of allotting shares of the public wealth to people, and assigning duties and responsibilities. Imam Ali describes Islamic policy in this

regard, expressing his faith in what is ordained by Allah: **“Allah has allotted to each his share; and ordained on each his duties in His Book, or in the tradition of His Prophet, peace be upon him and his progeny; a covenant with us, which we have safeguarded”**.

3.2. Universal Justice. The basic principle of Islam in managing people’s affairs and dealing with all is impartiality. A governor should not take sides subjectively, and a judge is supposed to deal equally with all parties in a lawsuit. It is significant that fourteen centuries ago the head of the Islamic state received equal treatment to a layman in court. Imam Ali, during his term as Caliph, raised a case against one man, claiming that a shield he lost was in the possession of that man, who was a Jew in the city of Koofa. Both were summoned by the judge. During the trial Ali noticed that the judge addressed that man by his first name, while he addressed the Caliph by his official title: Leader of the Believers. The Imam expressed his unhappiness, objected, and asked the judge to be impartial and address them equally both by their first names. There should be no distinction, he demanded, between litigants in a lawsuit. All are equal before the law, the Imam insisted.

3.3. General Consensus. Naturally, there are different classes in the community, and to deal fairly with all requires a careful policy on the part of the governor. Can a governor win the approval of all of his subjects? Can he justly satisfy all their diverse interests? Historical records prove the opposite. There is no political issue on which all people may unanimously upon. The Imam recommends following a policy that aims at getting the satisfaction of the majority of the community; wining the satisfaction of all is beyond reach. What is then the concept of consensus? The answer can be found in his reference to the class of people he calls the commoners, who form the majority of the

Moslem community. He advises Malik that when he is faced with choosing between satisfying the needs of any of the two main classes of the community, his inclination should be to the side of the common majority. When the commoners are not satisfied, he tells him, the approval of the special section will not benefit him, and will be an indicator of the failure of his policy. But when the commoners are content, he assures him, he won't be in need of the approval of the special class, which can be ignored.

The special class of people are those who are rich and influential in society, those who occupy important positions in the regime, and are supposed to give their services to the state. Usually they are well paid for their work, and may be allowed special concessions. This class of people tends to develop their own interests, which they try hard to secure and advance. The commoners, on the other hand, are the majority of citizens, and the grass roots of society; most of whom do not have special interests that contradict public interests, and are most in need of the attention of the state...

The life style of the Imam indicates that he was a man who looked to the hereafter as the real abode of bliss and eternal happiness. He considered the worldly pleasures and material possessions as transient and trivial. He lived frugally, and loved to identify himself with the have-nots; saying that, as the righteous leader, he should live like the most needy of the people. Accordingly, he showed great compassion towards the commoners, especially the destitute. The Prophet recognized that quality in Ali, and he described him as the **Imam of the destitute, who were content with him as Imam, and he was content with them as followers**. No wonder then that we see him take their side, consider them his loyal followers, and endeavors to work hard for a decent life for them. He also

disregarded what some of the specials thought of him, many of them denying him their support and allegiance. When the masses gave him their unequivocal allegiance and elected him as Caliph, while some of the elite did not, it did not bother him, and he said: **“Leave them with what they have chosen”**.

4. No Hatred and No Enmity.

The most damaging situation in any society is when there is an atmosphere of hatred from the public toward their governor and his regime. Imam Ali issues a strong warning to Malik against such a situation: **“Deliver the people of the complex of all hatred; and untie yourself of any link with enmity”**. When love will be lost between the two parties, mutual confidence goes down the drain, and people feel that the ruler is selfishly monopolizing benefits, they will begin to hate him and refuse his regime. When he denies them their rights they will bear grudges against him. When he oppresses them they will refuse him. The Imam advises Malik to avoid falling in this entanglement in order to evade any possibility of inducing that feeling of hatred in the people towards him. He is advised to lead them according to what satisfies Allah who is on the side of subjects, and work to win their love and support.

When the ruler leans towards a certain group of people, who might be his close companions and relatives, and allows those who live in opulence to control public utilities, and monopolize the means of production and services, the ground will be prepared for social class struggle. The most dangerous situation is when social antagonism is instigated, which emanates from selfish monopolization of public resources by a limited minority of the society. History had witnessed, and is still witnessing, many social struggles of this kind. The deprived will look

suspiciously towards the policies of the rich, and wait for the opportunity to regain their legitimate right in public resources.

Although Islam recognizes the right of private property, and does not officially prohibit wealth, its doctrine emphatically encourages and orders giving and donating to the needy and to public services. There are verses in the Quran which denounce those who greedily accumulate wealth, and refuse to give to those in need. **“And those who hoard gold and silver, and spend it not in the way of Allah, give them tidings of a painful punishment”** (9:34). To express the Islamic view on social equality, and the rights of the deprived, Imam Ali stated: **“Allah ordained that the sustenance of the poor is in the wealth of the rich. Whenever the poor go hungry, it is because of what the rich had overeaten; and Allah will question them about that”**. Therefore, he strongly advises the governor to do all that is possible to avoid what would make people bear grudges against him.

5. Be Fair to Allah, and to the People.

The Imam considers fair disposition towards the people a profound obligation on the governor. Accepting the responsibility to govern an Islamic state or district, governors are expected to abide by the teachings of the faith regarding establishing justice and rights, as revealed to the Prophet from Allah. Thus, they will be loyal to their duties as ordained by Allah. Failing that they will be disobedient to Him by not playing it fair with his servants the people; consequently they will be unfair to Him. **“Be fair to Allah, and be fair to the people, in yourself, and in those of your family who are close to you, and in those of your subjects whom you favour. If you don't do that you will be unjust; and whoever is unjust to the servants of Allah, He, standing for his servants, will be**

his opponent on the day of judgment; and whoever Allah opposes, He will refute his argument; and he will remain at war with Allah, till he repents, or desists”.

In another saying the Imam explained that: **“An unjust person has three signs: he is unjust to whom is above him by disobedience, and is unjust to whom is under him by predominance, and he sides with the unjust people”.**

A person might be pious and obedient to the Lord, and this is a personal attitude towards Allah. But the context refers to those who shoulder public responsibilities as rulers and governors. The Imam establishes a relation between the justice of rulers with people and obedience to Allah. The first verifies the second. To do justice is to obey Allah’s orders, as He said in the Qur'an:

“Indeed, Allah enjoins justice and beneficence, and giving to the kindred; and forbids immorality, abominable acts, and oppression. He admonishes you that you may be mindful” (16: 90).

Accordingly, doing justice to people is obedience to Allah, and being unjust to them is to be unjust to Allah by disobeying him.

The Imam tells Malik that there are three who are likely to commit injustice: the governor himself, his close relatives, and his favorite companions. The last two are those of whom the Imam strongly warns Malik as to the risk of allowing them to be in control over the affairs of others. It is quite obvious in all human societies that people pay special regard to the relatives of their rulers, and those close to them, whether they are worthy of it or not. When those close to the ruler notice the special regard people show them they will feel distinctive in the community, and allow themselves the right to have special concessions and benefits, social and material. The road will also be open for them to illegally grab public properties and money. They will feel like

a special class of people, and behave as if entitled to have more than what the common people are allowed. When the Imam was elected for the Caliphate he decided to give equal shares of the public revenues to all, without any distinction; this matter alienated and antagonized many of the privileged companions, who chose to oppose him, not only to deny him their support, but some even so far even to fight him.

The decision of the Imam to apply equality in giving public shares to all is based, first of all, on following the policy of the Prophet in that concern, who gave equal shares to all; whether they were the early Moslems, who gave Islam their support by all their efforts, or those who entered Islam later on. Secondly, he believed that Allah is the one who will reward in the hereafter those who gave Islam more support than others. This policy caused Imam Ali trouble with those who refused the principle of equality. Two of those were of the early Moslems. The Imam did not give in to their demands, and told them:

“Regarding what you said about the matter of equality, it is a matter upon which I did not decide upon by my own opinion, nor have I done it to my own liking. But I have found, and you too have, what the Messenger of Allah had come with and determined. Therefore, I did not need you regarding what Allah has finally decreed about the way of sharing (the revenue), and in which his verdict had been passed. Therefore, neither you, nor anyone else has the right for any complaint”.

The Imam stood fast to his principles and policy, and decided to follow the policy and rule of the Prophet in this matter. This measure angered many of those who enjoyed the concession of receiving better shares, prompting them to refuse the Imam's policy of equality, and to stand in opposition to him. When some of his followers suggested to him to give them what would make

them content, he adamantly refused, and said: **“Do you order me to seek support by injustice, from those whom I am authorized to govern? ...If the money was my own money I would have given them equally. Then how is it when the money is that of Allah?”** He means that he shall not seek support of the specials by being unjust towards those he is responsible to govern by equality.

The close companions and relatives of the ruler have a strong tendency to get what worldly things they can grab, and will attempt to take more than their fair share. Common people cannot stop them or challenge them; and sometimes cannot even complain about them. They may have some opportunity when the ruler is fully committed to being just, and is aware of the gravity of such a condition; and does not hesitate to deal promptly with it and prevent it. In order that Malik should not fail in this matter, the Imam warns him to be wary of those close to him, and to watch them closely. He warns him: **“If you don't do that you will be unjust”**, then he follows that warning by explaining that an unjust ruler is in fact fighting Allah till he stops and repents. A sinner who commits sins, which means he is doing injustice to himself, may repent, and Allah may accept his repentance. But for a ruler who does injustice to people his repentance may be accepted only after he makes up for any act of injustice done to those he wronged, and gets their approval and satisfaction.

When shall those oppressive rulers understand the value of this wisdom, and see the consequences of their injustice? Oppression of common people has become so widespread by those self-appointed rulers, against the wishes of their own people. Do those oppressors realize that Allah will be their opponent in the Day of Judgment, before their victims will be? The Imam clearly states that Allah will stand in defense of the

oppressed against whoever oppresses them. What would be the fate of someone whose opponent, in the Day of Judgment, is Allah?

6. Do not Ever Regret Pardoning.

A ruler performing the duty of a judge may pardon a wrongdoer. It is possible that the one pardoned does not appreciate the value of this forgiveness, and repeats doing wrong deeds. The ruler might then think that this fellow did not deserve to be pardoned, because he repeated his bad deeds. The wrongdoer might have taken serious matters lightly, or thought that he was pardoned because the ruler was unable to punish him. In this case he will feel no deterrent, and might persist in his bad conduct, challenging the law and the authority of the ruler. This is human nature. In this case the Imam advises Malik not to regret pardoning anyone even though he did not appreciate the forgiveness. He wanted to emphasize that forgiveness is a good deed and a sign of noble manners; and a good Moslem does not regret doing a good deed, no matter how it might be ungratefully received. A notable tradition of the Prophet says: **“Do the beneficence to whom deserves it, and to whom does not. If it goes to the deserving, then you have found him. If it does not find the deserving, then you are the deserving beneficent”**.

7. Do not Boast Punishing.

We understand from what the Imam says here that a ruler, when punishing a wrongdoer, should not feel boastful and proud of being able to inflict punishments on others. He should rather feel sad about the harm and pain that has come upon them as a result of punishing them for their misdeeds, even if they deserved the punishment. It is a sign of weakness of character

that one feels strong when he belittles others, or inflicts harm or pain on them. To feel happy and content by inflicting harm and punishment on others is a sign of sadistic tendencies, which is the worst feeling a ruler could harbor. There are so many who are unable to elevate their personal status, socially or in knowledge, and attempt to belittle those whom they feel superior to them. They do that to compensate for their inferiority. They are likely to follow every possible means to achieve that aim in order to falsely feel being superior to those who are better than them. This case is especially noticed in those who become political leaders by a coup d'état, by such irregular means as a conspiracy, assassination, or any such means. A long list of such characters could be found in the annals of history.

8. “Do not Absent Yourself for Long”

To make sure that the governor takes his decisions and bases his policy on sound information and direct interaction with his people Imam Ali advises Malik to be in close contact with what goes on in his domain.

“Do not prolong your absence from your subjects; for the isolation of governors from the subjects is a kind of narrowness in disposition and lack of knowledge in matters. Seclusion from their environment will prevent them from knowing what was kept away from them; the big will be small to them, and the small will be big; the nice will look ugly, and the ugly looks nice; the true will be confused with the false”.

The Imam wants to explain to Malik that when the governor isolates himself from his subjects he will lose contact with vital matters he needs to be well informed about; the subjects too will miss the means to be informed about what is planned for their lives. This lack of correspondence between the governors and

the people is very unhealthy, and may lead to undesirable consequences.

People always look forward to know what is going on in their community. Lack of knowledge of what is planned or done will lead them to guess and speculate about what is going on, and what will happen. The governor, on one side, will depend on the reports of his offices and establishments to inform him about what is going on. Those agencies might distort the truth, to provide the governor with information and facts that he likes to know, and conceal from him what he does not like. They do that either to protect their own interests, or to please their governor by telling him what makes him happy, even if it is contrary to the reality. This is what the Imam meant by saying that isolation of governors from their community is a kind of narrowness in disposition.

The more a governor keeps himself isolated from his subjects the more he becomes dependent on the reports of his companions, and the more those reports are likely to be distorted, presented either short or untrue. Consequently, his reactions to what he believes was going on, and the measures he should take, will be ineffective, or even counter-effective, as a result of misjudgement based on false information. More dangerous is the case of his isolation from the community being a means to ensure his personal security. His personal tendencies and preferences will control his actions and reactions; and he will only believe what makes him happy, refusing what displeases him. By then, he will be unable to differentiate between what is true and what is false, or to know who is loyal and who is not.

The subjects too will lose track of what is planned for their life in the offices of their governor; or of what will have a direct effect on their life. They are not likely to be content about being

kept in the dark. They will be subject to rumours and distorted news filtering out of the office of the governor, as his close companions will pass around what satisfies their interest. As a result, false information will predominate, making small matters look big and big matters small, as the Imam said. Some companions of the governor might even spread false news, to the detriment of the governor, should there be any disagreement between them and him, or if one day he fails to satisfy their greed and selfish wishes. False information will soon prevail, and people will be unable to know the reality, confusing the true with the false.

It is normal that the people are highly influenced by the policy of their governor; shaping their reactions and attitudes according to what news about his plans and intentions filter from his office. When matters come to a stage that the true is confused with the false, the nice to look ugly and the ugly nice, they will misjudge his intentions and wishes, and behave as they think right, which might well be not in their interest. By then all matters will be in disarray, and the governor will be unable to communicate with his people, to implement his policy, or to find a loyal help from anyone. Imam Ali explains this situation by saying:

“...The governor is only a human being, unable to know what matters are concealed from the people; and there are no outwardly visible signs of the truth by which to know what is true and what is false”.

What the Imam wants to say is that the governor cannot predict what news have been concealed from the people; and that it is not always possible to outwardly differentiate between true news and false news, except by thorough investigation and clear evidence.

Imam Ali does not see any acceptable reason to justify the isolation of the governor from his subjects. He logically discusses the matter by the following argument:

“Then you are one of two men: either one who generously gives in the right way; so you need not absent yourself from a right duty you do, or a noble deed you bestow. Or you might be afflicted with depriving, by then the people will soon refrain from asking you when they give up hope from that! Most of what people want from you will either be a complaint about injustice, or asking to be justly treated, none of which will be any burden on you”.

To convince the governor that nothing justifies concealing himself from his people Imam Ali explains to him that whatever is required of him in winning the confidence of them is not a great burden on him. It could either be the redressing an injustice matter on someone who came to him complaining, or that someone complained of being partiality treated in dealing with his affairs by an official. Being in authority, with many powers in his hands, those matters of redressing a situation in the right manner should not strain the governor. Thus, he suggests, if the governor is righteously generous with his subjects there should be no reason to seclude himself from them. On the other hand, should he be inflicted with the vice of withholding what people need, they will soon give up hope of any goodwill on his part, and refrain from asking of him what they need.

In many present day societies it is noticed that rulers keep a distance from their people, either for security reasons, or having no palate for mundane affairs. It is true that security has become a decisive factor for leaders, because of the possibility of terrorist actions. Even Imam Ali himself, in his very close relation with the people, was not protected from assassination. But, being convinced that fate cannot be prevented in its timing,

he used to say: **“Fate is good enough a guard”**. No matter how much rulers and presidents may try to protect themselves by separation from the people, or by taking strong security measures, nobody can escape his fate. In spite of all precautions, heads of states and important politicians have been assassinated. Some were even brought to trial, as was witnessed in many countries of late. And fate will ultimately decide the end, whatsoever it will be.

9. Personal Attention to the Needs of the Public.

People might have a need for something, a problem to be solved, or a complaint to be heard. At the time this charter was formulated there were no general assemblies or popular bodies to represent the masses, or to refer their needs and issues to the governing authorities. The only way was a direct contact with the rulers to raise cases and requests. Imam Ali asks the governor to play that role, and to keep his door wide open to the people to give direct access to his office.

a. The Imam explains to the governor the way to deal with people's needs:

“Assign to those who need help a part of your effort, dedicating yourself to them, and sitting with them in a common audience, whereby you humbly submit to Allah who created you”.

The most notable matter in the Imam's instructions is that there should be open access for the people, and sufficient time dedicated to listen personally to their needs and grievances; and that should take place in an open meeting. When the people are given open access to the governor, and are allowed to raise their cases freely and openly, their confidence in the governor will be strengthened, and their allegiance to the government will be strengthened. When someone is to raise a complaint against one

of the officials, and that complaint will be listened to in public by the governor, the officials will think twice before attempting to do anybody an injustice, knowing that the governor will personally deal with the case. That means there will be nobody immune from submission to the law and justice or to be brought to account, no matter what a position he occupies in the administration.

b. The bodyguards and assistants of the ruler should not stand between him and the people.

“...Keep away from them (those who come to you) your soldiers and assistants, body guard and police, so that their speaker will talk to you unrestrained. I heard the messenger of Allah, peace be upon him and his progeny, say in more than one occasion: No nation shall be sanctified if the right of the weak is not taken from the strong, in full and unrestrained”.

A layman may become full of awe in the presence of a governor. He might feel unable to state his need or express his thoughts. When the Imam asks the governor to behave with such a person in a humble manner, and that manner of humility is but to Allah, he wants to create a relaxed atmosphere of mutual trust between them, so that there will be no barriers that hinder the speaker. Most important is that the governor is to feel that his humility with his people is towards the strongest of all, Almighty Allah, and it is displayed in his manner of dealing with the layman. Rulers and governors are likely to feel haughty, and refrain from showing any humility with their subjects. To assert that their humility is towards Allah is to deflate their conceit and false feeling of greatness.

The other matter in this respect is that the governor should keep away his bodyguards and police force from attending his meeting with the people. Their presence might create an

inhibiting atmosphere, and prevent open expression of needs and grievances against any one in authority. The assistants and personal guard of the governor are more likely to try to protect him from anything that might displease him.

10. Be Patient with Faltering and Clumsiness.

“Tolerate their awkwardness and faltering, and relieve them of any arrogance and vexation on your part; Allah blesses you with his mercy, and rewards you for obeying Him”.

It is natural that some people, in the presence of the governor, might not be very articulate, or well informed. They might even be overwhelmed by the pomp of his court, which may cause them to stammer and lose the ability to express themselves well. The governor is asked to tolerate their frailties and awkwardness, and even their inappropriate behaviour, if any. He is also asked to make them feel at home by behaving in a very humble and relaxed manner with them. They might even fail to express their requirements, or may speak improperly. By such a demeanour, Imam Ali comments, he will deserve the most of Allah's mercy, and his rewards for the obedient. It is related about the Prophet, that once a layman who had not met him before, came to his presence for a matter. The man was so dazzled by the awe-inspiring personality of the Prophet that he stammered and faltered, and was unable to speak. The Prophet realized what overtook the man, tried to comfort him and put him at ease. He said to him in all humility and fatherly compassion: **“Take it easy. I am only the son of a woman who used to eat the cheapest meat in Mecca”.**

11. Face Them when They Are in Doubt.

The people might be in doubt about a ruler, believing that he had wronged them, or behaved selfishly. The best remedy, Imam

Ali suggests, is that the ruler faces his people openly about the matter.

“Should the subjects have any doubt that you have done some injustice, face them openly with your reasons, and relieve them of their doubts by being open with them. That will be a spiritual disciplining for your character, a compassionate relation with the subjects, and an education you have for them, by which you achieve your aim in nurturing them on the Right”.

The Imam expresses his view that vagueness and uncertainty in public matters drive people to doubt the necessity of your actions, or even legitimacy. The ruler will be subject to doubt and even some unfounded accusations of injustice or deviation. In all societies it is a normal practice that people express their doubts and uncertainty when matters seem obscure and vague. This phenomenon becomes more acute when people have endured oppression for a long time, and suffered from the injustice of their rulers. Good faith and confidence will be lost between the two parties, and lack of communication will be the norm. Imam Ali informs Malik that the best policy to avoid the undesirable opinion of the people is to be frank with them about every matter that might create uncertainty and doubt. He considers this policy a sign of humility to Allah and to his creatures. By means of such a policy the ruler will be relieved of the burden of being doubtful of the others, and the people themselves will be confident of the plans and intentions of their rulers.

Many tyrants and vainglorious rulers find it unbecoming of them to be humble towards their subjects. Their vanity controls their behaviour, and prevents them from treating people as equals in humanity, let alone refusing to admit their own mistakes. It is related that one such brutal dictator once signed a

death penalty decree on one of his subjects. Shortly before executing the poor fellow the ruler was informed that there was a mistake in the name, and the man is innocent, and the guilty person was someone else. The ruler refused to change his decision, and said that he was not the one who dishonours his signature. Once he signs on something, he stressed, it is to be done. That poor unlucky fellow was unjustly put to death.

The aim of the Imam is to educate the ruler to be humble with people, and make his policy transparent and favourable to his countrymen. To admit a mistake is a virtue, he used to say. Perhaps many tyrants consider such a policy humiliating before the public. The Imam also wanted to encourage the public to put good faith above doubt and uncertainty, when they find their leaders following a transparent policy with them. Doubt and suspicion are uneasy feelings. The Imam advises the governor to avoid mistrust and doubt, as they relieve him of tedious and troublesome relations; and the public should also be relieved of that situation. It will be a sign of successful policy when the ruler builds his relation with the public on mutual confidence and acceptability. In one of his speeches Imam Ali stated: **“it is unfair to sacrifice trust by ill doubts”**.

12. Giving and Denying.

“Give what you give pleasantly and generously, and deny gracefully and excusably”.

When a governor grants a citizen a request or gives him what he needs he should do so pleasantly and in good faith, without considering it a personal favour. The bounties of Allah are natural rights for his creatures. No one should claim that offering any help to the others is a personal favour. Those who get their rights should be made to feel happy and enjoy them. Yet, so many of the despots consider whatever they extend to their

people a personal favour from them, for which they expect people to be thankful and grateful. They should rather ask themselves: who is the ONE that gave them what they are extending to others? Even donating a charity should not be considered a favour. It is a duty. Let us read what is in the Quran:

“O, you who have believed, do not render vain your charities by reminders (expecting thanks) and injury” (2:264).

In one of his wise sayings Imam Ali said: **“The more the bounties of Allah are abundant with someone, the more people’s needs of him shall be”.**

On the other hand, when the governor finds out that what is requested by someone is not justified, and the requester has no right to it, or it is beyond the ability of the governor, he should be courteous in his answer and explains the reasons for denying the request. This kind of treatment is certain to save the man embarrassment, and create a feeling of mutual confidence between the two parties. The requester will be understanding and respectful of the governor for his kindness and honesty, and the governor will feel happy that he did his duty in good faith. Such conduct from the governor will certainly win him the respect and acceptance of the people, and they will willingly accept his judgements.

Let us compare between the teachings of Imam Ali in the way people's needs should be satisfied, and what despotic rulers, who were mostly self-appointed, used to do with their subjects. Dr Ahmad Ameen relates the following incident in his book: *Dhuha al Islam* (vole 2, p. 40):

“A learned clergyman came to the court of the Abbasid Caliph Abu Jaafar al Mansoor (of Baghdad, c.760 AD) and said: Allah had entrusted you with the welfare of Moslems,

and of their properties. Yet, you neglected their affairs. You created a screen of rocks and boulders, and gates of iron, between you and them, guarded by armed door keepers. And you imposed yourself a guardian on them. You sent your officials collecting taxes and duties, supporting them with men, armaments, and tools. You ordered that nobody shall enter your court except who and whom, certain persons you nominated. You did not make any policy to make justice to a wronged man, or to anyone in distress. Those assistants of yours have become your partners in your authority, while you were negligent of that. When someone with a complaint came to you he will be prevented from entering your city. If he wanted to raise his case to you in person he will find out that you prohibited that, and assigned someone else to look into his grievances. When your close companions come to know about that man they will order those in charge of complaints not to raise his grievances to you, because the one against whom the complaint is made was closely related to them. The oppressed will keep begging and complaining, without any response. Should he keep asking to be done justice, he will be badly beaten, to make a lesson of him to others. There you are, looking and knowing, yet not disapproving. Where would Islam be then?"

How much of this kind of conduct is still witnessed nowadays by rulers and governors of many Islamic states?

13. Refuse Slanderers, and Veil Defects.

It is expected that many sorts of people will rally around the governor. They could be his adjutants, subordinates, or close companions; or those trying to be close for gaining benefits. Some of those might try to win the favour of the governor and show him their loyalty by discussing private matters of others,

exposing their defects, and criticizing their behavior. The Imam strongly warns Malik against such companions, orders him to suppress such tendencies, and to veil others' shortcomings and failings. Two pieces of advice are presented in this regard:

a. “The one, who is most slanderous among your subjects, and who chases people's defects, should be the most distant from you, and the most detested by you. People do have defects, and it is most appropriate for the ruler to veil them”.

There is a kind of persons whose hobbies and habits are to chase the behavior of others, and talk about it. Such a tendency reveals a desire to elevate one's esteem by finding faults in others. When this kind of slander is used in the court of a ruler it is also likely used to realize another aim, which is to win the favour of the ruler, or pretend loyalty to him. The Imam strongly warns against those people. He asked Malik to distance himself from them, and to consider them as the most hateful to him. In addition to that he assigned to him the responsibility of veiling people's defects and shortcomings; more so than anyone else should do. It is human nature that people err. No one is without defects, save those whom Allah purifies and make infallible. Veiling the defects of others is a virtue. According to a saying by the Prophet:

“He who protects the good repute of his brother, Allah will protect him in the Day of Judgment”.

b. “Do not try to disclose what is hidden from you. Your duty is only to chasten what is apparent to you; and Allah will judge what is hidden from you”.

This is a clear directive to the governor not to try disclosing what is hidden of the defects and flaws in his people's behavior. What he is tasked with is to deal with what defects are apparent, and leave it to Allah to judge the hidden; yet he orders the

governor to chasten those visible misgivings. It is also his responsibility to assist people in their efforts to abandon those defects which are forbidden by religion; so he must assume the role of educator, advisor and reformer. He is expected to try to help people to get rid of their bad habits and flaws, rather than using his authority to inflict punishments on every mistake they make. Islam is the religion of mercy, and it deals with people humanely, with compassion and kindness. It endeavors to educate people with the right ethics, and show them the righteous way of life. The Prophet (saw) stated: **“Verily, I was sent to perfect noble manners”**.

c. “Veil the defect as much as you can; Allah will veil what you like to be hidden from your subjects”.

This is a very precious advice given by the Imam to Malik; promising him the grace of Allah in veiling his own defects from the people if he veils theirs. He tells him that, being a fallible human being, he is likely to do something wrong. To avoid having his flaws exposed, he is advised to veil the flaws of others to be rewarded with more than his deed; that Allah will veil his flaws. How could one compare between what Allah offers him, and what he offers people? What is the value of your veiling people's mistakes and flaws, the Imam suggests, compared with Allah's veiling yours?

When someone assumes the role of a governor or ruler, he or she will be under the watchful eyes of the public, more than anyone else. When they detect a defect or a flaw in the conduct of their ruler they will gossip about it, his prestige will be damaged, his name soiled, and his influence weakened. More than that, when they discover a flaw in the conduct of the ruler they will be less willing to improve their own conduct. The ruler will then find it very difficult to reform any bad practice of the

community. They will say: Look at that. He is trying to teach us before he teaches himself.

d. Neglect any matter you cannot be totally sure of.

The recommendation here is that the ruler should ignore and disregard any matter of whose validity he cannot be sure. It does not mean suspending the orders of Allah, and being lenient with criminals. What is meant is not to probe into the private affairs and covert actions of the people; but better to deal with the obvious misdeeds which are harmful to society, and forbidden by the Islamic code of conduct. This advice may be valid even in personal matters between friends and relatives. The following saying of the Imam well portrays the moral of this advice:

“One of the most honorable actions of a noble person is to turn a blind eye to what he knows (about others)”. The matters that the Imam asks Malik to turn a blind eye about are those which he comes to know about; that unveiling them would expose people to disgrace and shame. He should ignore private matters if they pose no threat to public morality or security.

e. “Do not rush in believing a slanderous person; for a slanderer is but deceptive, even if he assumes the image of the sincere”.

There are some people who, to win the favors of the ruler, report to him false information about others, or to spite those they hate, exposing them to accusations. To achieve their aim those slanderers pretend to be sincere and loyal to the ruler. Not every ruler is immune to the machinations of this kind of people. The advice of the Imam to the governor is to take his time to investigate every allegation before making a judgment. Sufficient time should be allowed to verify the truth, and to give the suspect the opportunity to defend himself; for he might be innocent, or has an excuse for what he did. Those

recommendations represent a very progressive method of realizing justice. To emphasize the value of this advice the Imam brands the slanderer a cheater; concluding that it is unwise to listen to such a person.

Chapter Four

The Human Element in Administration Jobs

Councillors, Advisors, And Aids

Introduction: Recipe for Success

The Charter under study covers all aspects of establishing a state administration within the context of that period. Although written in the seventh century AD it can rightly claim to be a progressive and comprehensive conception of a state and institutions to be run by qualified personnel. Theoretically it is possible for a thinker who possesses insight and futuristic perception to draw a clear framework for government institutions and agencies to run the everyday affairs of the state. But the decisive factor that ensures success in governance is the human element employed.

According to what can be construed from the Charter of Imam Ali, he considers the right choice of suitable personnel the most important factor in the success of any government. No matter how well designed government structure is, and how comprehensive the different government bodies and institutions are, their efficiency and success depend on the qualifications and efficiency of the personnel employed. Imam Ali seems aware of this question, and he puts great emphasis on the professional qualities of the personnel who are employed for the jobs. He looks at them as two groups: the councillors and advisors, and the personnel with suitable qualities and qualifications put in charge of running the different departments and agencies. In this

chapter we shall try to study his prospect of choosing and appointing councillors and government staff members.

1. Scholars and Wise Men.

“Be very close to scholars, and keep discoursing with the wise and judicious in deciding upon what the prosperity of your country is based on, and follow what good policy successful the people before you followed”.

Scholars are those with knowledge and experience, and wise men are the seasoned thinkers with the sense of piety and wisdom. Islam credits the scholars with a very important status, considering them more valued than those who spend their lives in worship only. Imam Ali wants Malik to benefit from the opinions and wisdom of the knowledgeable persons to improve his performance as a governor, and enhance the efficiency of his administration.

Many of the traditions of the Prophet applaud the value of scholars: **“Scholars are heirs to prophets”**. To assign to the scholars in Islam the status of being heirs to prophets is a great honour and prestige. But this high esteem can only be worthy of the righteous and pious scholars. On the other hand, the Prophet strongly warned against corrupt scholars. He stated: **“The worst of people are the scholars when they get corrupted”**. This kind of scholar, by virtue of his knowledge and skills, is able to mislead the nation if he puts his knowledge and expertise in the service of oppressive rulers, justifying for them their injustice and corruption. Many of the like of those are still justifying for despots and self-appointed dictators and kings their actions and highhandedness.

Scholars have a decisive role in the life of the people. The Imam charges them with the duty and responsibility of defending the right and opposing oppression:

“Allah has put an obligation on the scholars not to uphold the injustice of an oppressor”. This establishes a duty on the scholars to be in defense of the nation against any injustice. They must educate the people about their rights and duties, and help them defend their rights, and perform their duties. The Imam made that statement when some people came to him complaining about some injustice by their governor. He asked them: **“And where are your scholars?”**. Then he pronounced the statement above, which defines the important role of scholars in society; the righteous ruler consults them, and the laymen learn from them what leads them to the right way.

2. Men of Noble Descent.

Imam Ali draws the attention of Malik to create a solid relation of trust and cooperation with those who belong to reputable families and clans in the community. The following directives are to this effect:

a. “Be close to those of noble descent, of the righteous houses and past decent deeds, and those of gallantry and bravery, of bounty and benevolence. They are a treasure of high moral standard and a wealth of virtues. Look into their affairs the way parents look into the affairs of their own children”.

Those who possess the moral values mentioned in the statement of the Imam are most likely to be honest in their manners, loyal in their work, and their help an assurance of success for the governor. It was a social norm in many Arab communities of that time that families of notable standing were well bred in noble manners and are likely to strive to maintain their social status and respectable name by righteous behaviour and by avoiding shameful deeds. To create a sound and healthy relationship with them the governor is advised to take care of

them as followers, like parents with their children. Parents love their children for the sake of love, not for any particular selfish gains. It is selfless love, the love of the source to the offspring.

b. “Do not overestimate anything with which you favour them; nor undervalue any care you support them with, however small it might be. That will motivate them to give you their loyal advice, and have good faith in you”.

Whatever the governor gives his people to satisfy their legal needs is part of his duty towards them. The advice of the Imam to Malik is not to feel too proud of the services given to the people, nor to consider too little the small things given to them. All services given will make them willing to be sincere in offering the governor their truthful counsel and loyalty. Their noble character will motivate them to acknowledge any good service made, even if insignificant. Some rulers consider the services they give the citizens a kind of personal favour from them to the people, and demand acknowledgement and gratitude. Such a policy will certainly create a chasm between people and rulers, and weaken the social order at large.

c. “Do not ignore looking into their minor affairs, concentrating on the major issues. They can benefit from the smallest amount of your attention, and they cannot do without the largest amount of attention you pay them”.

Some leaders tend to pay little or no attention to small matters, concentrating on major issues. The Imam advises Malik to do the contrary. He considers that there is a benefit in all degrees of attention. Smaller issues can be beneficial to a great number of people, and they should not be denied that. One might ask: how could a governor be able to pay equal attention to all kinds of affairs? It does not mean that the governor should care personally and directly about every matter and all things. He can assign a number of his assistants to the job of running different

affairs, the minor and the major. A good leader will always find enough loyal assistants who are ready to give him the sincere help, and save him time and effort in looking after every minor issue.

d. “The greatest gratification for governors is to see justice prevail in their countries; and to win the love of their people”.

The golden rule in governance, stated by a tradition of the Prophet, is: **“Justice is the basis of governance”**. This is a time-honoured principle, proven valid by the tragic and shameful destinies of despots and oppressive rulers. No matter how long they might stay in power they will always be held in infamy. History is a most faithful record of events and rulers. The Imam asserts this fact, and champions the cause of justice. When, at the beginning of his reign, he was advised to give the elite of the community a greater share of money than the laymen to avoid their opposition, he considered this an infringement of justice, and stated: **“There is much room in justice. And he who finds justice a burden, will find injustice more of a burden”**.

It is noteworthy to see the Imam, in the advice mentioned at the head of this paragraph, connecting justice with the love of the people for their ruler. This suggests that justice generates love of the people for their rulers. And what kind of rulers enjoy the love of the subjects as a result of the prevalence of justice? According to the statement of the Imam they are the pious and conscientious, and those who abide by the commands of Allah in their social policy; who follow that tradition of the Prophet which binds people together; and on which they do not differ. Allah orders all to rule by justice.

“When you judge between people to judge with justice”
(4: 58).

e. “Their love can only be shown when their hearts are clean”.

A clean heart means to be free of grudges and hatred towards others. Most people feel that when justice prevails their interests will be safeguarded, and no one will suffer. The absence of hatred encourages love and compassion between people; and leads to the disappearance of fear of the authorities. When someone is afraid of injustice, it will be very unlikely that he will feel real love towards an unjust ruler, no matter how he pretends to do. On the other hand, good people are not afraid of a just ruler.

When an unjust ruler comes to know that people do not love him, he will most probably hold a mixture of caution and dislike towards them. Any unjust ruler, however he might try to show his teeth, is profoundly afraid of the people. That is why so many oppressors resort to excessive force to subdue any dissent. This feeling gets more intense when that ruler feels increasing hatred and rejection by the people. He will even try to take revenge by making life more difficult for the people by whatever means he can.

f. “Their true loyalty can only be proven by their attachment to their leaders, feeling no burden by the state on them, and not looking forward to see their days come to an end”.

Any leader needs the true loyalty of his people. That can only come from those who do not wish to see the end of his reign. It is obvious that those who suffer injustice and oppression wish for his days to end, hoping for a better ruler to replace him. However people might pretend to support an oppressor, or at least show some indifference to his policy, while in fact they hope and wish to get rid of him; the sooner the better. If people hold this feeling towards their leader they will not give him their

true loyalty, for that would mean prolonging his reign. But if they are content with him they will be loyal to him, offer him their sincere loyalty, wishing his reign to live longer, and will not look forward to see him go.

g. “Open wide the way for their aspirations, keep praising them well and mentioning the good deeds of the well doers amongst them; mentioning their good deeds more will deeply move the courageous, and motivate the lazy, Allah wills it”.

To open the way wide for the people's aspirations is to give them more hope for better life conditions, and to look forward to more care and good services from their government. Proper praises for the sincere and recognition of their good deeds will encourage them to do more, and are a good reward for them. That will also encourage the lazy and hesitant to imitate the well-doers when they see the good outcome for those who do good deeds. It is human nature that one expects to be appreciated and praised for the good things he or she does. If that praise and appreciation does not come there will be disappointment and frustration. When some well-doer finds himself treated like the one who does not, he will lose his motivation. But, there are some who do well for the sake of it, only to please Allah, and as a matter of principle; even though, in many communities, they are unfortunately the exception.

h. “Acknowledge to each person what (good deeds) he or she has made. Do not attribute the good achievement of one person to another; nor should you undervalue what he or she did. Do not let the high social position of someone makes you overvalue what is small of his deeds, nor that the humble social status of someone makes you undervalue what is great of his deeds”.

The gist of the above statement is to be fair in appreciating the real value of the deeds of people. To overvalue what is a

small matter because the doer is a close companion to the governor, or enjoys high social standing, is like giving him a bribe. He will then look forward to be praised and rewarded for any petty thing he does; and will be disappointed and upset if he does not get what he considers his merit. Those people are covetous of more and more praise and reward, in the belief that this is a compensation for their support for the ruler. Nor should the ruler undervalue any achievement of a layman, as that will discourage him and lessen his willingness to do well. More painful it is to attribute a good deed of one person to another. This is plainly unjust; it is like theft. Each should be given his real merit, irrespective of his or her social status.

3. The Pious.

Imam Ali refers to a group of people he calls: **“People of piety and the Truth”**, and considers them the best companions for a governor. He states:

“Keep close to the people of piety and the truth; and accustom them not to praise you, nor to falsely attribute to you a deed you did not do. Much praising induces vanity and brings in pride”.

Pious behavior calls to refrain from doing illicit actions and to resist selfish whims. It leads to truthfulness and spiritual satisfaction. A truthful person abstains from lying in order to covet worldly gains, or to shirk responsibility. Such people do not exaggerate their praise for any one whose support they need.

This saying of the Imam combines the two traits of piety and truthfulness in those he considers worthy of being companions to a governor. Pious people are always truthful; but the Imam still advises educating them not to give in to the impulse of praising a governor for what he does. They might do that out of appreciation and encouragement; yet, he still asks the governor

to be close to them. Praising someone might be advisable if he deserves it; as an encouragement for doing the right thing and recognition of the value of what is done. This is commendable when a father praises his son; a teacher encourages a student, and a commander praises his soldiers to raise their spirit. But the Imam warns against it when it comes excessively from the subjects and companions to their governor. He says that it creates vanity, false pride and arrogance. A praised leader will be tempted to believe himself as omnipotent and worthy of being praised. When a ruler starts to feel flattered by praises he will get accustomed to that, and will look forward to more of it, and his aim of doing good deeds will be to win even more praise. Should he feel that he is not getting the desired praise he believes he deserves, he will lose interest in doing good. He will also feel that people are not worthy of having good work done for them because they did not praise him. They are ungrateful, he will say. It is related that some people praised the Imam excessively, he humbly replied:

“O Allah. Make me better than what they think, and forgive me for what they do not know”.

3.1 Distinction between Benevolence and Detriment.

It is human nature that when one does a good deed he will wait for praise, encouragement, and recognition. There are those who are benevolent, and those who are detrimental. The Imam stresses the necessity of distinction between benevolence and detriment:

“The benevolent and the detrimental should not have the same status with you. That will be a dissuasion of the benevolent from benevolence, and encouragement of the detrimental in his detriment. So, bind each one to what he has bound himself to”.

When a benevolent person finds himself equally treated by the governor like treating a wrong doer, he will be discouraged and might lose interest in doing the good, or become doubtful of the benefit of the good. At the same time, the wrongdoer will have nothing to deter him from doing wrong deeds when he finds out that he is given equal status to the benevolent. He will persist in doing wrong, and gets used to it. He might even encourage others to do wrong, so as not to be the only wrong doer. When this kind of behavior prevails in a society the wrong doers will persist in their bad actions, finding no-one to deter them, or even having a ruler who turns a blind eye to what evil they might do. On the other hand, the benevolent might lose faith, and end up having no interest in doing good deeds; because no one encourages them, or distinguishes them from the wrong doers. In order that governors do not fall into this misfortune the Imam advises them to give each his merit, rewarding the benevolent, acknowledging his good deeds, and calling the detrimental to account for what he or she does, to make them a lesson to others.

When there is no distinction between the benevolent and the detrimental a dangerous situation will prevail, with far reaching consequences. This is especially the case when the benevolent is a commoner, not close to the ruler, and the wrong doer is one of his close companions. The danger is that the ruler will hesitate in punishing his companion for his bad deeds; or he might even refrain, lest he loses his support, or make him an opponent. The ruler will be in a more critical position when his companions know about some of his misdemeanors. Such a ruler will be at the mercy of his close companions. Many cases of this sort can be found in history whereby rulers covered up for their close companions, never calling them to account, or even found excuses for them, for the purpose of securing their support and

loyalty, or avoiding being exposed for what they had done. It is known that some presidents or ministers were blackmailed by heads of the security agencies of their countries, because they knew about them what was not in their interest to be exposed to the public.

4. Avoid Misers, Cowards, and the Greedy.

“Do not admit to your counsel a miser who diverts you from benevolence, and warns you of poverty, nor a coward who enfeebles you about managing problems, nor a covetous one who embellishes greed by injustice. Surely, avarice, cowardice and greed are various traits, all have in common that they are misgiving in Allah”.

a. When the ruler appoints a miser as a counsellor he will tend to advise the ruler to hold his hand back, and dissuade him from spending for the benefit of the community. The money in the treasury of the government is Allah's money given as a bounty to the people; and it should be expended for their wellbeing; to help the needy, to provide for public utilities, and to develop the national economy. Imam Ali used to distribute the revenues to those eligible, sweeps clean the treasury chamber, and prays in thanks to Allah for enabling him to deliver the rights to whom it should go, without delay or hesitation. Then he would sleep peacefully and contently. He described a miser to be: **“One who lives like the poor in this world, and is brought to account like the rich in the hereafter”.**

b. A cowardly counsellor will offer opinions and advice to the ruler that reflects his character, which discourages taking any steps that require initiative and originality in managing public affairs and administration plans. A coward is scared of imagined unfavorable results of a plan or action. He is likely to hesitate, have no guts for any serious action, and would rather stay put

than take any initiative. Hesitation in taking brave and timely decisions and steps might waste time and effort in implementing necessary development plans, and may deny the nation many opportunities for progress and promotion of the people's interest. This deficiency becomes more decisive in military matters, when cowardice and hesitation will lead to squandering the chances to attain victory in battle. **“Cowardice is a deficiency”**. The Imam is quoted to have said.

c. The covetous counsellor, whose most important aim is to gain worldly benefits at any cost, will make attractive to the ruler any method of accumulating money, even by denying people their legitimate rights, or by monopolizing what should be publicly shared. The outcome of such a policy is to let revenues and earnings accumulate in the treasury, while the needy are denied their necessary relief. The more money accumulates somewhere the more human behavior will be controlled by greed; there will be no limit to what is coveted. In one of his wise sayings Imam Ali stated: **“Two are insatiably greedy: the one seeking knowledge, and the one after money”**.

d. Those three bad traits are described by the Imam as having one thing in common, which are misgivings in Allah. A miser is afraid of losing what is in his hand. He thinks that he may not get back what goes; doubtful of the bounties of Allah. When he gains something he is jubilant; but when he loses a little he is very sad. The coward is scared of death and of facing the outcome of his bad deeds; of being brought to account in the hereafter. So he tries to deceive himself and express his doubts about the punishments inflicted by Allah on the wrongdoers. The greedy, on the other hand, is uncertain of what is in store for him from Allah, because his behavior is controlled by greed and avarice, and he is enticed to accumulate more and more, even if

by illegal and dubious means, excessively saving for what he imagines to be bad times ahead. He tends to forget about the Day of Judgment and what he will be asked about. He is likely to fall victim to greed, which is rightly described by Imam Ali as: **“Eternal Slavery”**.

5. Military Commanders.

Imam Ali considers the selection of the suitable field commanders the key to establishing a sound relation between leadership and troops, and a certain way to win in battle. He informs the governor of the proper way to choose his field commanders.

“The most favourable troop commander to you should be the one who supports them by his help, and favours them with his resources, with what satisfies their needs and the needs of their families whom they leave behind; so that they all have one common concern in struggling against their enemy. Your affection towards them makes their hearts full of affection towards you”.

When a warrior leaves behind a family that he is responsible to support, his main concern will be their wellbeing. He will always be concerned about their needs, while his job in the armed forces is to put all his efforts on training and using his weapons to the best effect. If his attention is divided between his job and his family’s needs, and he is mindful that he might die in battle, he will be unable to concentrate on his job, and becomes worried about the fate of his family; his willingness to fight will certainly be affected.

Furthermore, when a warrior begins to think that his family needs him for their livelihood, it might drive him to look for safety, and avoid facing any risk in doing his duty. However, when he is sure that his family will be well looked after by the

state, in peace and war, he will be more ready to fight bravely and with determination. This is what the Imam meant by suggesting that commanders and soldiers should have one common concern, which is to fight their foe and be victorious. This directive means that field commanders are in a position to satisfy the needs of their soldiers, whether from the state expenditure, or from their own resources. When the soldiers feel that their commanders are full of consideration for them and for their families, they will feel dutiful, and less likely to show any weakness or hesitation in battle.

6. Judges.

In this charter the Imam attaches the greatest importance to the matter of selecting and appointing judges, and goes into detailed description of their professional qualities. He also shows significant appreciation of their standing in society; and considers them as a distinguished class of people. This appreciation is expressed by his statement that judges should be the best of the people. He states:

“And select for the job of judging between people the most distinguished of your subjects”.

To describe a judge in a court of law as the best of the people is to honour him with a very high social status. He is the one to deserve respect and appreciation by the people so that they accept his verdicts and judgements in their cases and lawsuits.

By considering the judges as the best of the people the Imam well predated the modern practice of according high social status to judges. In modern developed nations the head of the judiciary is given a status above that of the head of the state. He is a person above any suspicion, and authorized to deal with any conflict between the state and the community. He is a guardian of the rights of the people, the protector of justice, and the

guardian of the constitution. By the standards of the time when this charter was written, to consider a judge as the best of the community, places the judiciary in the highest esteem and authority. In modern societies, the judiciary personnel are not given more than what Imam Ali considers them worthy of.

7. Ministers.

The term minister (vizier) used here refers to a high ranking assistant; not exactly the same as the modern position of a member of cabinet. It is related in the Quran that Prophet Moses asked Allah to help him by rendering his brother Aaron a minister for him: **“And appoint for me a minister from my family; Aaron my brother. Enhance through him my strength, and make him share my task”** (20: 29-32). In this context the meaning of Vizier means an aid next in rank to the ruler. Imam Ali considers the choice of suitable ministers a matter of high priority, and he finds it necessary to warn Malik of those unsuitable for the job.

“The worst of your ministers is he who was a minister to the malicious rulers before you, and was accomplice to their sins. He should not be a close companion to you. They are abettors of the sinners, and brothers of the oppressors. You can find better substitutes from among those who have equally good opinions and influence, yet are not burdened by the sins and vices of the others; those who have not assisted an oppressor in his oppression, or a sinner in his sins. They are less of a burden on you, better help for you, more considerate of you, and the least inclined toward others (i.e. rivals). Take those as close companions, in your private meetings and in public occasions. The most favored by you should be those who are most faithful in telling you the bitter truth, and the least to assist you in doing what Allah hates

for his patrons; no matter how that might suit your wishes, or is against what you might desire”.

Why is it that the Imam begins his directives by warning the governor of choosing an unsuitable person for the job of minister? One of the governors of Egypt during the Caliphate of Othman was Abdullah ben Abi Sarh; who was a relative of the Caliph. That man was a malicious person, who committed many injustices; one of them was killing a man unjustifiably. The Egyptians revolted against him, and sent envoys to the capital Medina to complain against his mismanagement, demanding his replacement, and insisted on trying him for murder. This would explain the emphasis put by the Imam on excluding unrighteous persons from office. He seems to have considered that particular governor as a bad minister to the Caliph, and wanted Malik to avoid choosing the like of him for the role of vizier. Any minister or official who supports an unjust ruler is in fact an accomplice to him. This fact is defined by Imam Ali in his statement: **“The one who commits injustice, and those who accept it, are accomplices”.**

Chapter Five

Governmental Establishments and Job Description

Introduction

After Islam established its political seat of government in Medina, and the Prophet initiated the first political system based on the teachings of the new religion, there appeared the need for a form of organized administration for the new entity. This requirement became more necessary when Islam brought to people a well-defined system of rights and duties. Imam Ali, through his knowledge and comprehension of the vision of Islam on governance, composed the terms of this Charter to establish a basis of forming specialized governmental departments to run the daily affairs of the state. The main principle adopted by him was to define the function of every department of the government by describing the qualifications and qualities of its head and staff members. This is an indication that he believed that the successful management of any job primarily depends on the qualifications and suitability of its personnel. The theme of this chapter will be the personal qualifications and qualities of heads and staff members of governmental offices. It can be considered as an early attempt at “job description.”

1. The Armed Forces.

It is not possible to imagine any society existing without some sort of an organized system of armed force to defend its territory and deter its foes. Human nature still carries an

inherited offensive and defensive instincts, striving to maintain the species, which are further used for securing interests. The state needs to form a military organization to defend its borders and interests against any aggression, and to make its people feel safe and secure, so that they may go on in their peaceful daily life of production and maintaining their wellbeing.

1.1. The Importance of the Armed Forces

Imam Ali recognizes the necessity of the armed forces, and states:

“The soldiers, by the will of Allah, are the bastion of the people, the splendour of governors, the strength of religion, and the means of security; without which the existence of the community cannot be sustained”.

A bastion is a safe place or system where people may enjoy the security that allows them to prosper and develop their life for the better. The splendour of the governors means the army endows the state and the governor with the standing that makes them respected and admired by friends and allies, and acknowledged and feared by rivals; and those with aggressive intentions will think more than once before risking any transgression. This state of affairs will enhance the prestige of the state, people and rulers alike, and will make it a safe haven where citizens and guests may feel secure, happy, and content. Religion will be strong when the people abide by its teachings and their faith is revered. The means of security defines the role of the armed forces whereby people feel safe and protected by them, and any lawbreaker or transgressor takes them into consideration. Considering all those attributes of the armed forces stated by the Imam, their existence becomes a social necessity, verifying his statement that without them the safe life of the community cannot be sustained.

1.2. Financing the Armed Forces

In order that the military establishment becomes able to function adequately it needs to be properly financed by the state to cover the cost of weapons acquisition, maintaining its facilities, and paying the salaries of its personnel. Imam Ali says:

“The soldiers cannot be sustained without a share of the taxes and levies that Allah provides them with, which makes them strong enough to fight their foes, on which they depend to improve their lot, and cover their needs”.

The armed forces are not a productive establishment. They require a sizeable portion of the state budget, especially when modern weapon systems are highly sophisticated and very expensive, and require professional experts to use them efficiently. The members of the armed forces need to spend all their time in training, and be specialized in their professions. They must have fulltime jobs, with no time to work outside their units to earn their living. As the nation needs the armed forces for its security, the armed forces also cannot be sustained without being financially supported by the state expenditure. It is a two-way interdependence.

1.3. Commander Qualities.

Army commanders used to play a crucial and decisive role in battle at that time. Their standing, professional qualities and personal bravery were important assets of any fighting formation. Any military formation is manned by fighters led by a hierarchy of commanders. The order of battle is based on a chain of command, from the top to the bottom. The choice of commander is a crucial matter that may have a great influence on the fate of the battle. Imam Ali, being aware of this matter, instructs the governor on how to select his army commanders,

and describes in details the professional qualities of the suitable commander:

“Assign (to the post of command} the most loyal of your soldiers to Allah and his Messenger and to your Imam, the cleanest of pocket, and the most forbearing; who is slow to get enraged, and accommodating of excuses; who is lenient with the weak, and austere with the strong; who is not provoked by violence, nor disabled by feebleness”.

These are nine personal qualities which the Imam considers necessary for any commander in the armed forces. Any military academy in the modern world would do well to adopt and teach officer qualities such as those briefly stated here.

1.3.1. Loyalty. The Imam puts this attribute at the head of the commander's qualities. Above all it should be first to Allah, then to his Messenger Prophet Mohammad, and then to the Imam. All degrees of loyalty to any mortal should be subservient to Allah in the first place. Loyalty to Allah means loyalty to the cause, which is a prerequisite for success in any armed conflict. Unless a fighter believes in the cause for which he is fighting he will not be sincere in his efforts. The military profession deals with death and life in any armed conflict. Fighters are continuously in the face of death; that means a commander must be loyal to his cause and to his leaders in order to do his job well. He should not hesitate to deal with any difficult situation to achieve victory; to be a model to his subordinates in bravery and devotion.

It is a capital offense in Islam to run away when facing an enemy in battle. In many cases bravery and devotion enable a small force to defeat a larger force. On the other hand, there are many historical examples where large armies lost battles because the commanders had no belief in the cause for which they were fighting; they subsequently lost the war because of their lack of

devotion to the cause. The first lesson taught to fighters is to believe in what they fight for. This will make them loyal to their duty, and ready to accept the possibility of death in battle as a part of their life and duty.

1.3.2. **Integrity.** This quality is described by Imam Ali as: “**clean of pocket**” meaning no unlawful gains are pocketed by the commander. When a commander strongly believes in the cause for which he is fighting, and that he is likely to die in battle, any material gains become trivial and insignificant. When life is endangered for a just cause the greatest reward is moral and spiritual, not material. This could be an idealistic point of view, but a real sense of responsibility, and a genuine realization of the role of leadership, allow no way for greed to control the behaviour of a leader or field commander. The power in the hands of a field commander affords him a great deal of authority, and he would be subject to temptation to grab some unlawful gains. Unless the commander is honest and clean handed, he might commit what tarnishes his name. The Prophet expressed this principle by saying:

“The sins of the army are to be feared more than their enemy”.

1.3.3. **Forbearance.** A commander in the armed forces, Imam Ali states, should be the most forbearing. The importance of this quality bears on the behaviour of field commanders in battle in critical situations. When so much blood is shed, and the fate of the cause or the country is in the balance, the sense of self defence and the will to win the battle may drive the fighters to go to excessive violence. Forbearance prevents or curbs hasty reactions to provocation or aggression.

The rival army commander may try to provoke his opponent to take actions that are not well planned in advance in order to divert him from his original objective, or to thwart his original

plans and put him in an unfavourable situation, which might lead to failure and defeat. Violence leads to violence, and the art of war is not merely violence. Patience and self-control prevent hasty reactions which might lead to taking decisions not in the interest of the cause.

A commander also needs to show forbearance with his troops. In the heat of battle some junior commanders might get tense, question orders, or object to some decisions. They might hesitate in following certain orders, perhaps because of not knowing the general plan for the battle, or parts of it. In that case a good commander needs to show tolerance and patience, accommodate any differences in opinion, and try to convince his men of the necessity to abide by his directives and accept his plans. .

1.3.4. Controlling Anger. Anger is a risky emotion produced by a strong reaction to certain events, or refusal of a certain situation. It might lead to difficulty in controlling reactions, or to take an action that one might feel sorry about. Islam teaches us to be in control of ourselves, and not to give in to rage. Allah describes believers to be those: “... **who restrain anger, who pardon people, and Allah loves the beneficent**” (3: 134).

Anger and rage lead to furious reactions and hasty decisions. Imam Ali describes fury and rage as a form of madness: “**Rage is a form of madness, because one regrets it. If he does not regret, his madness is certainly deep rooted**”.

The Imam's description of a commander to be slow in giving in to rage means that he might be vulnerable to be enraged in certain critical situations; and the advice is to resist being drawn into that condition. It might be a difficult matter for many people, but it is necessary to show the example of a commander who is in control of his actions.

An incident is narrated in Islamic history in which Imam Ali exercised self-control in a way that seems quite unique. In year 5 AH, the tribe of Quraish of Mecca, with some other nonbeliever, and the Jews colluded to wage war against the Moslems in Medina, to finish Islam once and for all. The Moslems dug a trench around the city as a defensive measure, to avoid being overwhelmed by enemy attacks. One of the famous champions of the enemy, Amro ben Widd al Aamiri, was able to cross the trench on his horse back. He loudly called for a duel, challenging the Moslems to fight him. The prophet encouraged his companions to accept the challenge, promising paradise to anyone who would. No one responded, except Ali.

Imam Ali fought against that infidel enemy, and was able to inflict a deep wound in his thigh, which caused him to fall to the ground. The Imam offered him safety if he accepted Islam. That man, too vain to concede defeat, too stubborn to accept the offer, spat at the face of the Imam, may Allah honour his face. Imam Ali stepped aside for a while, then returned and finished off that man. When he was asked later on why did he behave in that manner, his answer was that he did not want to kill his enemy in self revenge, but for the love of Allah. He said that he waited for a while for his anger to subside, then went on for the kill. Is there any example in the history of human conflict of such a degree of self-control in a situation like that? Who would have blamed Ali had he finished him off right away, saying nothing about that personal insult? It is righteousness, good self-control, and the will to do everything for the cause of Allah, being his devoted servant.

1.3.5. Accommodating excuses. A good commander should be ready to accommodate the faults of his men, and tolerate their shortcomings. This will allow for a margin of tolerance in judging others. A mistaken soldier may have no excuse for a

mistake, made unintentionally. It is also possible that he has an acceptable reason for that. The commander should rather be patient in his judgement, and allow for human error. This quality is more necessary in dealing with his own men, before he does so with the others.

The Messenger of Allah was the model of a benevolent leader in dealing with his followers; especially in war time. He pardoned those who disobeyed him, and caused the defeat of the Moslems and the loss of the battle of Uhud in the year 3 AH. He even did not punish those who ran away for their lives. Any other leader would have sentenced all those deserters to death. But he was too merciful to do that. He was not the one to form execution squads that execute deserters who run away from the battleground, as many of the despotic leaders did. One of those deserters stayed absent from Medina for three days after the battle, and he was pardoned. He did the same once again with those who deserted him in the battle of Hunain, in year 10 AH.

In time of war anyone who passes to the enemy information will be sentenced to death for this crime of high treason. When the Moslems were preparing to liberate Mecca, and the Prophet took all measures to keep his plans secret, one of his companions knew about it and sent a note with a woman to the Meccans about that plan. Allah revealed the plot to the Prophet. He sent Imam Ali after that courier. Ali caught up with her, questioned her, and was able to make her confess. She had hidden that message in the folds of her hair locks. Ali returned to the Prophet with that message. The man who sent the message was questioned about what he did. He confessed and apologised that he had some relatives in Mecca, and wanted to do the Meccans some favour, that they may take care of them, in case the Moslems lose the battle, and the Meccans oppress his relatives in reprisal. What a stupid excuse. Yet, the merciful Messenger of

Allah pardoned that man. The noble Prophet never held any grudges against his followers.

1.3.6. Leniency with the weak. It is very likely that, in any fighting force, there will be some weak elements, who require some boosting of their morale. Self-preservation is a natural instinct in mankind. In the heat of battle, when death is very likely, some fighters might weaken and be overwhelmed by the danger to their lives. It is not uncommon that, in self-preservation, certain elements of the army might hesitate or fail to do their duties. This situation needs to be understood by field commanders, and allowed for through wisdom and humane disposition. When a commander shows understanding of the psychological condition of his troops, and their motives for any irregular action, he will be able to win their support, and rely on their obedience to his commands. It is a sign of sound leadership to consider the need of the weak elements under his command.

1.3.7. Austerity with the strong. The armed forces may have some elements who are socially influential, either being of notable families, high in rank, or the rich. Those might use their prestige to control the weaker elements, or charge them with duties beyond their capability. In battle conditions this attitude becomes more dangerous, as the strong may try to avoid danger by assigning dangerous missions to those under their command. The commander is responsible for ensuring that no such practice is followed among his troops. He should exercise his leadership in battle fairly and professionally, without any favouritism for any particular member of his troop. It is not uncommon in any society that the notables and influential are more able to secure their concessions, while the weak are the losers, and in need of someone to defend their rights.

1.3.8. Non-responsiveness to Provocation. The mission of an army is to fight, and that means using violence against the

rivals. In these conditions field commanders need to keep cool and well composed in the face of intense encounters. They need to have a clear vision of their objectives in the course of planning their battles, and in conducting the combat manoeuvres, as well as to stay calm while leading their troops in the field. The quality of being non-responsive to provocation enables the commander to deal with any emerging situation with a clear mind, and the ability to maintain his objective. Violence and agitation excite and disturb. Many a field commander gave in to violent situations and were diverted from the original objective, only to lose the opportunity to win the battle.

A striking example of such a situation which took place in modern times, is the hasty decision of Hitler during the Battle of Britain in 1940. The German air force, the Luftwaffe, waged air war against Britain, to destroy the Royal Air Force of the U.K, in preparation for the invasion of the British Isles by a sea assault. Some of the German bombers attacked residential areas in London. The British government sent a raid of bombers to attack Berlin. Hitler was infuriated for the bombing of the capital of the Third Reich, and ordered his air force to bomb London in reprisal. This decision of revenge diverted the German Air Force from its original objective to destroy the Royal Air Force, which gave the RAF a breathing space to rearm and avoid the feared situation of collapse. The result of Hitler's decision was to lose that battle, and to cancel the invasion plan; as the RAF remained an effective fighting force, without the destruction of which the invasion of the British Isles would have little chance of success.

1.3.9. Avoiding Weakness. Imam Ali considers it vital for any commander to exercise determination and resolve in directing the battle. If he submits to feebleness, or hesitates in cases of emerging critical situations lest he might face unexpected results, he might lose the initiative to his enemy, and

all his actions become mere reaction to what steps the enemy takes. This state of affairs in battle will make the commander unable to deal freely in implementing his plans, in anticipating contingencies and emerging events, or in dealing with unexpected situations during the battle.

1.4. Peace Accords.

Islam works for a better life for people, and considers war time the exception. Imam Ali directs the leaders to prefer peace to war. In case the enemy offers a truce or a peace accord the leader should not decline that offer. He states:

“Do not refuse a truce or peace to which your enemy invites you, and in which is the acceptance of Allah. Surely, there is in peace rest for your soldiers, relief from your worries, and security for your country”.

The offer of peace by the enemy, which Ali advises Malik not to reject, should be “acceptable to Allah,” as the Imam puts it. How could a commander or a leader determine that a certain offer of peace is acceptable to Allah? It is a difficult decision to take, and deep insight is required to judge that matter. It could be said with some certainty that the offer of peace should have no terms that contradicts the teachings of the doctrine of Islam; causes no damage or harm to the interests of the Islamic nation, their rights or their beliefs. It could also be said that when the army has the upper hand in battle, and is on the verge of complete victory if they hold on for a while, and that the offer of peace does not deny them the chance of victory, accepting peace is advisable. It enables them to dictate their peace terms, and have the upper hand.

The decision is a matter of political consideration which can only be decided upon with a sound appreciation of the situation, and accurate reading of the circumstances. The Imam considers acceptable peace offers in such a situation is an opportunity to

safeguard the security of the nation, relieves the commander of his worries about the outcome of war, saves lives, and allows the fighters rest and comfort. But he cautions the commanders to be careful and alert to the intentions and machinations of the enemy, and advises certain precautions to be considered.

1.4.1. Vigilance. “Beware and beware of your enemy after concluding peace with him. The enemy might behave peacefully to take you by surprise. Be prudent, and do not rely on simple good faith in those circumstances”.

It is noticeable that Imam Ali strongly warns Malik of the possible tricks his enemy might play after concluding a peace agreement. He reiterates his warning phrase to emphasise the importance of being on guard against possible dubious intentions of the opponent. It is quite possible that the enemy had accepted peace or a truce, to take his time to regroup, rearm and resume the fighting when the circumstances are in his favour. He might have resorted to a peaceful approach to convince his adversary that his intentions were not aggressive, in order to tempt them to relax and put their faith in the peace accord. Yet, the enemy could be covertly preparing to take his foes unawares. History is full of such incidents, when a leader trusted a potential enemy, and failed to get well prepared for a situation he foolishly ignored or underestimated, only to put his nation in a compromised situation.

The Prophet is quoted to have said that war is a trick, meaning that plans for war should aim to mislead the enemy into arriving at the wrong conclusions, and to drive them to take actions that put them in a disadvantageous situation. Lying is a grave misconduct for a Moslem, but the Prophet allowed passing false statements to the enemy in case of war. All plans, intentions, and preparedness should be concealed from the enemy, and it is better to lead him to wrongly assess plans and

intentions. He should be in the dark about the plans of his adversary. Surprise is one of the most important principles of war. Achieving surprise in battle allows the commander to win and maintain the initiative, to be always one step ahead. In order to avoid the deception of his enemy Imam Ali advises Malik to be firm in his decisions, and not to relax and resort to rest and laziness. He orders him not to trust his enemy, or have good faith in his intention.

The Imam is always quoted to promote good faith in human relations. But he advises to the contrary in warfare, and in dealing with enemies. He asserts that there is no room for good faith in an enemy in war time. It is naïve and stupid to expose the safety of the nation to great danger just because two leaders play trust in a simplistic manner. The most striking example of such a foolish confidence in a potential enemy is the pact of non-aggression signed between Hitler and Stalin in August 1939 in which they colluded to divide Poland between them. Less than two years later Hitler took the initiative and attacked his ally by surprise, and devastated most of his European territories, taking more than two million prisoners of war in few days, and destroying an important part of the Red Army. Did not the Russian dictator read what Hitler wrote in his book "Mein Kampf", which clearly stated that Germany should occupy European Russia as a "lebensraum" (living space), get rid of its 'backward Slavonic population', describing them as subhuman "untermensch", and use its vast land areas to be inhabited by the 'superior Germanic people'? Stalin's action was both stupid and opportunistic.

1.4.2. Fulfilment of Covenants and Treaties. "If you concluded a pact with your enemy, or covered him with an obligation on your side, then safeguard your undertaking with fulfilment, foster your obligations with honesty, and

render yourself a protection for what you committed yourself to. None of the duties of Allah on which people are more in agreement, despite their differences in desires and in opinion, than extolling the fulfilment of undertakings”.

There are great ethical lessons and principles in these phrases. It describes the Islamic code of ethics in handling multilateral covenants and agreements. A Moslem is expected to remain faithful to his promises, and to honour all his obligations, even if it is disadvantageous to his immediate interests. He should respect whatever agreement he concludes with others, even with his enemies. The Imam asserts that abiding by covenants and agreements is an obligation ordained by Allah, a matter which the people are ordered to observe. He draws attention to the fact that people in general, however different they might be in their beliefs and interests, have unanimously agreed to abide by their covenants and agreements. To emphasise the importance of honouring agreements, and warning Malik against not doing so, the Imam says: **“Do not betray your obligations, do not break your undertakings, and do not double cross your enemy”**. He says that even those infidels admitted the importance of fulfilling their treaties and covenants, being aware of the tragic consequences of treachery; suggesting that Moslems are more worthy of being true to their words.

1.4.3. Honouring Agreements

Imam Ali asserts in strong terms the value of honouring treaties and undertakings with adversaries and other parties, as a matter of Islamic ethics. **“Do not break your undertakings”**. A breach of promise leads to disruption of mutual trust and loss of understandings between those who are parties in peace accords. Such behaviour creates an atmosphere of doubt and uncertainty, and opens the way to renewed actions of struggle and

confrontation. The code of ethics in Islam highly promotes truthfulness, and calls for honouring obligations and keeping promises. The Imam tells Malik that this practice is a part of belief in Allah and his commandments, and a pledge of obedience to him by the believers. Even in the era before Islam, he reminds Malik, the people who were nonbelievers in religion used to pledge themselves to abide by their agreements and covenants. Imam Ali stresses this fact to emphasise the importance of abiding by agreements. He says:

“The infidels have indeed obliged each other with that (fulfilling their undertakings), besides the Moslems, when they realized the calamitous consequences of treachery. So, no one dares challenge Allah save the ignorant and the wretched”.

Just like the infidels feared the consequences of breaking covenants, he says, Moslems should be more worthy of observing this practice, and honouring their commitments. Then he warns him against breaching any agreement, or betraying any obligations, considering behaving to the contrary as a challenge to the will of Allah, and a sign of disobedience.

1.4.4. Honouring Covenants.

“Allah, with his mercy, made his covenant a haven of security among his servants, and a sanctuary in the safety of which they seek refuge, and in the security of which they look for comfort. There will be no duplicity, no deceit, and no cheating”.

The most important concept in these directives is that the Imam considers a covenant between people akin to a covenant with Allah, to be given great importance. To be faithful to any agreement and pact between two parties is so important as to be like faithfulness to the Creator of the universes. Abiding by the terms of any agreement between two parties gives credence to

relationships, and builds sound traditions of commitment to any agreement, be it between individuals, or between states or governments. When the rule of law and honest dealings prevail in all walks of life, stability and good faith will be well established. The domain of human relations will then be a safe haven for all, where only honest and fair dealing will be the norm. No one will be subject to deceit, fraud, swindling, or double dealings.

1.4.5. Preciseness in drafting Agreements' Documents.

In this respect Imam Ali takes his time to emphasize the importance of accurately drafting the terms of agreements and pacts drawn with other parties. The following instructions pertain to the method to be used in securing the interests of the state, and avoiding any possibility of compromising its vital interests that may come as a result of inaccurate drafting of the text of an agreement.

a. “Do not conclude an agreement or a pact the wording of which may allow different interpretations”.

b. “Do not look for ambiguous statements or terms, when trust and assurances were given”.

c. “Do not let a difficulty in a matter, in which the covenant of Allah has bound you, to drive you to unrightfully look for its revocation”.

d. “It is better to be patient about a matter, in which you hope to arrive to a happy outcome, than to use treachery, the consequences of which you would hate. If you do, Allah will call you to account about it, and you will have no way out of it, neither in your worldly life, nor in your hereafter”.

Here are instructions on how to draft the terms of an agreement or a pact. It states the vital necessity of exactitude and preciseness, and avoiding ambiguous and vague expressions and terms. There should no words or phrases with double meaning,

nor any desire for debatable interpretations of terms and conditions. An honest partner in an agreement should honour his obligations and avoid dubious plays on words to shirk the duty to honour what he committed himself to.

There are two aspects in these directives. A party in an agreement should consider his commitment as that to Allah, and a sign of honesty. As Allah ordains honesty and truthfulness, cheating and lying are a kind of disobedience to Him. This advice emphasises the importance of abiding by the terms of any pact or covenant. Without such a commitment there will be no confidence in any agreement, especially between states and leaders. It happened many times in history that a party to an agreement did not respect his undertakings, and declared that what he agreed to was worth less than the ink with which the agreement was written.

The other important aspect of these directives is that a party to an agreement may find out that, in certain circumstances, the terms of that agreement are against his interests. Imam Ali asserts that he should exercise patience and not try to revoke it or breach its conditions. The best advice is to wait for a grace from Allah that will provide an opportunity to be honourably relieved of his troubles. He says that this policy is better than resorting to a treacherous measure the consequences of which are detrimental to the one who breaches an agreement, both in this world and in the hereafter. In this world he will be disgraced with the act of dishonesty. In the hereafter Allah will call him to account about it.

2. The Judiciary

Islam considers justice the most important element in establishing peace and order in the world. **“Justice is the foundation of reign”**. is the motto of Islam, as mentioned

above. The Quran orders judges and people to be fair when judging others. **“When you judge between people you should judge with justice” (4:58)**. The Prophet honoured justice and righteous judges by describing the status of justice in the system to be more valued than worship. He stated: **“One day of justice is better than seventy years of worship”**. Worshipers in Islam are highly appreciated for being obedient to Allah, and believe in his sovereignty and might. Yet, their worship is a personal attitude that benefits them more than it does others, although a worshiper is expected to be fair and righteous. But the value of justice is that it establishes sound social relations, and guarantees rights and protects the interests of the public.

The high status of the judiciary makes it the most important among governmental institutions. It is the key to social peace and stability. Whatever the status of individuals might be, they are all under its jurisdiction, and all have equal rights to resort to the law in securing their rights, and solving their legal problems. The efficiency and effectiveness of the judiciary greatly depends on the efficiency and integrity of the judges, and on the expertise and loyalty of the personnel employed in the courts of law. Therefore, anyone appointed as a judge in a court of law must enjoy a good reputation and a respectable social standing, in addition to sound knowledge in his profession. He must be known by his piety and integrity, so that people have confidence in the rightness of his judgements.

During the time of the Imam there were no specialized institutes to train judges, nor were there any school of law to train judicial personnel. All those appointed as judges acquired their knowledge and training in the mosque from the Prophet initially, and from the learned scholars and companions who got their knowledge from him. They were guided by the Quran and the tradition of the Prophet, in addition to their own ability to

comprehend the Code of Law in Islam, and deduce verdicts according to the principles of Islamic jurisprudence regarding any novel case.

Together with describing the judges to be the best of people, Imam Ali went into detailed description of the high standard of their character and qualifications. He also defined the responsibility of the state towards the judiciary, to enable it to function in the most efficient manner. His order to Malik about how to select judges explains: **“And select for the job of settling disputes between people the most distinguished of your subjects in your view”**. Then he describes in detail the personal qualities of a judge, what he should possess and what he should avoid.

Scholars are highly appreciated in Islam for being knowledgeable persons, as well as righteous and fair. In the context of this topic judges can be ranked with the class of scholars, for their knowledge and level of education, and by their status in society. Any one of them who enjoys the attributes defined by the Imam in this chapter is worthy of being classified a scholar. The qualities of a good judge, as defined by the Imam, cannot be more emphasized, being so vital for a stable society. On the other hand, when a judge is corrupt, he will wreak havoc in the social system. People will lose faith in the judiciary and in the government. The law of the jungle will prevail, and everyone will try to divert justice toward his interest, or even take the law into his own hands.

Corrupt judges may support despots by helping them in legislating oppressive laws, in putting those laws in force, or in distorting justice. The Prophet rightly described corrupt scholars to be the worst: **“The worst of people are corrupt scholars”**. This saying of the Prophet applies to judges, as well as to those scholars who use their knowledge for evil and perverted

purposes. They could be scholars in natural sciences and in humanities, who play into the hands of despots and oppressors who employ them for their evil purposes. Natural sciences scholars can be evil when they endanger nature and the life of people, when their scientific work is employed for destroying nature, which Allah put in the service of man as a grace from Him. They could invent immoral means of death that put at risk human lives in the millions, to satisfy the demonic wills of politicians. Scholars In humanities may distort historical facts, formulate perverted codes of policy, or create and support unjust legislation; all to satisfy oppressive regimes.

2.1. Favourable Qualities a Judge Should Have.

The following personal qualities are cited by the Imam to be the distinctive fine traits of a judge: **“He is to be the most to abstain from giving a judgement on uncertain evidence, the most accepting of credible proofs, the most patient for matters to become clear, and the most decisive when the judgement is obvious”**.

2.1.1. **Does not give his verdict in case of doubt.** When there are inconsistencies in the evidence, or a decisive proof is not tangible, the judge should abstain from pronouncing a judgement. The Prophet is quoted to have said to judges and rulers: **“Avoid inflicting a punishment in case of uncertainty”**. Islam legislated a number of punishments for certain offences and crimes. Some of those punishments are severe, like those on adultery and theft, which are considered major offences. The aim of imposing severe punishments is to make of them a strong deterrent. They are planned to make anyone who tries to commit a crime, or even ponders it, to think about the possible consequences if caught in the act, and what punishment shall be inflicted on him. A wise saying of the Prophet in this regard

goes: **“When you intend to do something, consider its consequences”**.

Besides ordaining severe punishment on certain crimes, Islam instituted stringent conditions on proving an offence. It is meant to protect innocent people from false allegations, some of which might bear on their social position, or family reputation and standing. To prove the act of adultery, for example, four just witnesses are required to attest to the real physical act by sight. To inflict the punishment on a thief more than forty conditions must be met before inflicting the punishment. Any doubt or inconsistency in any evidence renders it invalid, and the harsh punishment is averted. For the sake of mercy the Prophet ordered judges and rulers to avert inflicting a punishment in case of uncertainty, instituting the principle of allowing people the benefit of the doubt. He stated: **“Avert inflicting a punishment with uncertain evidence, as much as you can. It is better for a ruler to grant a pardon by mistake, than to punish by mistake”**. He also said that to acquit many suspects is better than to indict one innocent.

2.1.2. Most Accepting of Sound Evidence. When definite evidence is presented in the process of the trial the judge should not hesitate to accept them when he is sure of their definite validity. Each one of the litigants may try to present proofs and evidence that favour his claims and defend his position. The judge should do his best to verify which evidence is valid and which is not, and to decide upon which to issue his judgement in case of conflict between them.

2.1.3. Most Patient with the Argumentations of the Litigants. It is natural that each party in a law suit tries to prove his point and disprove that of his opponent. There will be heated arguments and debates, as each party tries to conclude the trial in his favour. The trial might take long, and possibly be diverted

from its basic course. That situation requires patience and endurance from the judge, and tolerance with the contestants, each one of them trying to win the case. Some allegations might be clearly invalid, but the judge still needs to allow each one involved in the case to speak out his claims. It is related that when the Prophet was in Medina, a man objected to something the Prophet had decided upon. People present tried to call him to account, but the Prophet did not allow them. He said: **“A man has the right to speak”**.

2.1.4. Most Patient for Matters to Clarify. A case dealt with by a judge could be complicated, doubtful or ambiguous; requires careful examination and scrutiny of the evidence and the claims of the litigants. During the process of the trial more evidence and facts may emerge, which need to be taken into consideration. The judge should give such situations proper consideration and exercise patience, in anticipation of all aspects of the case to be clear enough for him to pronounce his judgement. He is also required not to ignore any side evidence, as it might help in arriving at the right verdict in the case.

2.1.5. Most Decisive in Passing the Right Judgement. When all aspects of the case he is dealing with become clear and obvious, and he is sure of the matter, he should not hesitate to pass his judgement. He is responsible to Allah to apply all the right verdicts so that no rights are obstructed, nor an established rule ignored. The more the judge is well versed in his profession the more he will be confident in passing a judgement, the more able he will be to abide by the right. Imam Ali said: **“Justice places matters in their right positions”**.

2.1.6. Immune to Covetousness. Coveting is a bad trait. It drives towards gluttony and avarice, and is likely to tempt man to grab what is not rightly his, and commit the unlawful deed. Imam Ali defines avarice as **“eternal slavery”**, meaning that one

becomes eternally enslaved by his greed. The kind of greed which he warns against could be material, like getting money from one of the litigants by siding with him in the case. It could be non-material when one of the parties in the case is a friend or a relative, or influential in the community or the state, and the judge would like to please him, or even to avoid his displeasure. That way justice will be the big loser.

2.1.7. Unsatisfied with Little Knowledge. The judge might be faced with many kinds of cases. Some of them might be complicated and with a number of conflicting issues. The judge needs to be well informed in legislation, and experienced enough to deal with any case he is in charge of. If he is limited in his experience and short of knowledge he might be unable to handle the case efficiently. Therefore, he is advised to seek the highest degree of knowledge and understanding in his profession. The wisdom says that little knowledge is more dangerous than ignorance. Another way for being well informed is to study any case thoroughly. There might be some subtle or secondary points in the case which are overshadowed by the main details. Those details might be crucial in finding the truth and deciding upon the outcome of the trial. Any sort of detail should not be overlooked, nor should they become overshadowed by the main events in the case.

There is one more aspect in the question of acquiring the highest degree of knowledge by judges. They should spare no time in studying as many previous law cases as possible, whether they took place in their country or in other places on different issues; and to be familiar with the proceedings and procedures to be followed. They are required to enhance their judicial education and knowledge by getting acquainted with as many law suits as possible. Perhaps there might be other matters regarding enhancing the efficiency of a judge which are

necessary for him to improve his capabilities, and benefit the community in establishing sound traditions in the practice of law.

2.1.8. Does not Fall for Flattery. It is human nature to fall for flattery. People feel happy when praised or commended. The judge, by virtue of his status and position in the community, is liable to be flattered by those whose cases are dealt with by him. They may try to please him to win him to their side in the case. The Imam emphasizes the importance of this issue and advises the successful judge to be careful and not fall for flattery; as it appeals to vanity, and allures the mind. Imam Ali is aware of the power of flattery on human nature. He described this frailty by saying: **“One might be allured by a nice word in his favour”**.

2.1.9. Does not Yield to Temptation. Many people cannot help yielding to different kinds of temptations. A litigant in a case might resort to offer the judge what might tempt him to accept and become indebted to that party in the case. He might offer him money, some material gains, or a personal favour to win him to his side. If the judge does not protect himself he might divert from the right path, and justice will be compromised.

Realizing that the qualities required in a judge may not be found in many people the Imam stated: **“And those are but the few”**. This statement makes it difficult to find the required quality of judges in sufficient number to run the courts of law. This is especially the case when the size of population had increased tremendously in the present time, the volume of cases being so huge and human relationships becoming so complicated. How should a judiciary system be established then? In all cases, it should not be acceptable to compromise the quality of righteous and able judges. The Imam strived to

thoroughly define the requirements of this system to ensure the smooth flow of justice, rights and responsibilities in society.

Imam Ali, in his description of the qualities a judge should possess, well predated any modern definition of those qualities. Dr. Ashmawi, professor of Constitutional Law at the College of Law, Cairo University, commented on Imam Ali's treatise on the qualifications of judges, stating: **“In any constitution in the world, no such words, like those of Imam Ali, were said about the task of judges, or about the way to select them”.**

2.2. Inappropriate Qualities a Judge Should Avoid.

“Select for the job of judging between people the most distinguished of your subjects in your view; who does not get at his wit’s end, is not disturbed by litigations, does not persist in a mistake, does not hesitate from reversion to the right when he knows it, does not allow himself to be covetous, and is not content with cursory understanding rather than the thorough. He should not be allured by praise, or enticed by temptation”.

2.2.1. Inability to Handle Law Suits. A quality of an efficient judge is to be able to deal with all the cases assigned to him. That requires sound knowledge in the science of law, and the ability to deduce a legitimate judgement on proven evidence according to the code of law followed in his society. If he finds himself in need to consult a higher authority of the judiciary to resolve a case, he should not hesitate to do so. A judge might be subject to pressure from an authority, or under time expediency that is likely to pressure him to take a verdict before all measures are taken to ensure justice. He should resist being driven to issue a hasty verdict, if he considers it necessary to take more time in the trial.

2.2.2. Disturbance by Litigations. A judge might be dealing with a case in which the litigants try hard to contest each other's

evidence, and take long in arguing for their cases; each litigant considering the right to be on his side. Each party will do all that he can to bring all argument and proofs to support his claims, and to falsify his opponent's claims. These claims and counter claims might go on to such a length that the endurance of the judge is taxed. The Imam advises tolerance in case the litigants exaggerate their arguments. He should keep calm and be clear of mind, to be patient till the case is clear, and he becomes confident of issuing a fair verdict with a clear conscience.

2.2.3. Persistence in Mistakes. Any judge might be mistaken in assessing evidence or a proof, and accepts the argument of one of the litigants rather than that of the other, then realizes through the process of the trial that there were what disproves a matter he initially considered right. In that case he should not be too proud to admit the flaw, and insist on his early decision. It is wise to revise his early assessment, and to look again into the matter in the light of the new evidence. It is not fair to ignore any sound evidence and issue a wrong judgement based on doubtful evidence. When the Imam considers a judge as the most distinguished member of his community, it will be very becoming of him to admit a mistake, and to revise an inaccurate decision, which is a virtue that befits any man of wisdom.

2.3. The Responsibility of the State towards the Judiciary.

It is the responsibility of the state to provide the judiciary with all the facilities that enable it to function efficiently and properly. The judge should feel confident of his prestigious position in the administration, and feels sure of his position among the highest authority in the state. To achieve this aim the Imam gives his directives to the governor about his responsibility towards any judge in his area. He should:

“...Keep supervising (the quality of) his judgements, pay him generously to satisfy his need, and make him less in need of other people... Grant him a status that no other companion of yours may hope for, so that he becomes immune from being slandered by others of your court”.

2.3.1. Supervision. It is beneficial to a judge to know that his performance is being supervised by a higher level in the judiciary system. Within the context of that period the governor is assigned that responsibility. The Imam advises the governor to follow the work of the judge, and ensure that his verdicts conform to the Islamic legislation. In this case the governor himself needs to be well informed in the codes of law, and in court procedures, to be able to examine and verify the performance of the judge. It is also good for the judge to know that he is supervised, and his verdicts are substantiated by his superior. The other benefit is to make the judge more careful in conducting the proceedings of the trial, and accurate in his resolutions. Furthermore, it will motivate the judge to widen his knowledge in his profession and specialization; the matter that will bring him the respect and appreciation of the governor, the people, and his colleagues.

2.3.2. Ample Payments. Because of the very important role of the judiciary in the life of the people, and to the security of the nation, judges should be well paid in comparison to other officials in the government. The state must make sure that judges are financially satisfied and not in need of any extra source of income, other than what the state pays them. The Imam orders the governor to pay them generously, to make them in no need of others, and immune to bribery temptations. A litigant might try to offer the judge a bribe to favour his side in the trial. When the judge is not in need financially, he is very unlikely to accept a bribe. It is known in some developed societies that judges are

allowed any amount of money they need. The rightful application of law and the establishment of justice in a society are worth more than any amount of money.

2.3.3. High Status. The governor is asked to accord judges a high status in his close circle, more than any other of his companions. The success of the judiciary will enhance the position of the governor, and establish justice in his state. When people notice that the governor had accorded the judges a prestigious position, they will respect them more. On the other hand, some of those close to the governor might try to slander the judges, out of jealousy, or rivalry, or for other reasons. When he grants the judges a high position, and shows his confidence in them, those who might be envious of them will be discouraged, and their scheming will be frustrated. When a judge feels secure of his position, he will be sure of his standing and persists in his accurate application of the law, safe from any mischief.

2.4. Tragic Consequences of Injustice.

A final comment on the importance of justice in the life of people in Islam is to ponder how Imam Ali highly valued it in this Charter. He said: **“The highest gratification for a governor is to see justice prevail in the state”**. In contrast to this appreciation of the value of justice, some governors of Islamic regions before Imam Ali assumed the Caliphate position was so unjust that he expressed his indignation about that state of affairs. He drew the attention of Malik to that fact, and wanted him to avoid falling into the same predicament, where the absence of justice compromised the status of religion, and rendered it captive in the hands of the unprincipled, as he put it: **“Look profoundly in this matter. This religion has been a captive in the hands of scoundrels; subjected to whims, and used for worldly gains”**. No words could be more eloquent, nor an expression more saddening to Ali, than this statement that

describes his grief about that situation. He gave all his life to champion Islam, yet he saw it abused by “scoundrels” as he bitterly said. It is really painful and tragic to see the noble teachings of Islam distorted and diverted from their humane nature, and exploited to satisfy the unjust whims and perverted interests of oppressors and their entourage.

3. Local Governors.

At that time a government of a country employed a number of officials to govern certain districts of the country. The governor may appoint some persons whom he believed to be suitable for the job; some others to help him in administering different departments and services in his government. He is responsible for choosing his subordinates, and for supervising their work. Therefore, he should be very careful in selecting the suitable subordinate governors, and keep them under his watchful eyes. Any mismanagement by them, or excesses in doing their jobs, especially in dealing with people, would be reflected on him; and he would share the blame altogether. He could not be excused from the responsibility if one of those whom he appointed commits injustice, and he failed to take the necessary measure; however far away his location might be.

Egypt was the country, over which Malik al Ashtar was appointed a governor. It was a big ancient country, and required a good number of subordinate governors to rule over its numerous far flung regions. The Imam, realizing the importance of the proper selection of sub-governors in that country, goes into details in advising Malik on how to select and appoint the local governors, how to monitor their performance, and when to call them to account if they function badly. He gives high priority to the interests of the people and the successful running of the state of Islam.

3.1. Appointing the Reliable.

“Look thoroughly into the affairs of the (local) governors; employ them after examining and trying them. Do not appoint them by favouritism or by personal preference; for those two traits are a combination of inequity and disloyalty”. The Imam asks Malik to appoint the governors after making sure of their capacity for governing, by their integrity, and their fairness. A person could be a staunch believer and very righteous in his behaviour and character; but lacks the personal ability in leadership or in administrative work.

Public administration is a serious matter that should be entrusted to those who have two vital qualities: to be efficient and trustworthy. The Imam asserts that any one selected for this task, should be appointed after being tested. This condition is mentioned first, before integrity and righteousness, to emphasize that without efficiency a righteous person might not be suitable to govern. The art of government requires efficiency and character more than intelligence, although the last quality is still required.

The Quran narrates the story of Prophet Moses and the daughter of Prophet Jethro. Moses found the two daughters of Jethro trying to get water for their flocks from a well in the desert. There was a crowd of shepherds watering, and the two women were waiting for an opportunity to water. Moses helped them, and sat aside in the shade, as the story goes. The two women went to their father and told him about what Moses did for them. One of them asked her father to hire Moses in his domain. She said to her father: **“O father, hire him. Indeed the best one you can hire is the strong and the trustworthy”** (28: 26). This story highlights the importance of the two qualities any one shouldering a public responsibility should possess: to be strong implies to be efficient, and to be trustworthy means integrity and honesty.

The Imam warns against the tendency to assign officials to a governmental job on the basis of favouritism. The governor might find in one of his companions or relatives some good personal qualities of righteousness and good conduct, and assigns to him the government of a district. If that person does not possess the qualities of leadership, or the capacity for difficult responsibilities, he might fail in his mission. He might not be blamed for his incapacity for the job, for each has his own limitations. Some people are fit for leadership, some are not. Leadership is a gift enhanced by experience and knowledge. When a governor is a close companion of the leader, and enjoys his confidence, he will tend to believe that his relation with the leader entitles him to have special privileges and concessions. He may also act unjustly, thinking that he is beyond account. He might even embezzle some public funds, or take hold of properties or enterprises by dubious means.

3.2. Modesty, Experience, and Noble Family Background.

“Select those with experience and modesty, who come from respectable background, being among the earliest households in Islam. They are more of decent manners and virtuous descent; the least to be covetous, and are wiser to look into the consequences of matters”.

In addition to personal capacity and efficiency in administrative work the Imam mentions two other traits for selecting a suitable candidate for governorship: experience and modesty. Without experience the appointed official might not succeed in doing his job. Efficiency is a product of ability and experience. Yet, an efficient official should also be righteous in order to be entrusted with running the people's affairs fairly and efficiently. Righteousness produces honesty in manners, and integrity in behavior; still better when supported by efficiency and knowledge. Imam Ali indicates that those qualities are to be

found in those who grew up in righteous households, and entered Islam in its early days. The righteous households need not be rich or socially influential; but to be staunch believers in Islam, and of righteous behavior. Those who entered Islam by the time it was rejected by the aristocracy of the community, were more worthy than those who entered it when it was victorious, and did so to secure their worldly interests and social status. The history of Islam proves that those mostly poor early Moslems were more attached to, and observant of its teachings, and remained steadfast in their belief and behavior.

Another trait of the righteous is that they are of 'honorable descent'. In the social context of Mecca at that time those who were born into a family of chaste lineage were highly esteemed and socially well valued. It is known that in pre-Islam Mecca and its surroundings, prostitution was common place, and many of their notables frequented brothels, feeling no shame or embarrassment. Some even bragged about it. Imam Ali considers those born in a chaste family to be more worthy of trust, as they will distance themselves from any unbecoming behavior that is likely to tarnish the name of their families. The honorable Arab families used to pride themselves of being of decent and chaste lineage, and those were more likely to observe ethical values in their behavior, and to bring up their children on virtuous manners. The family of the Prophet in particular, the Hashimites, were well known in Mecca to be a very decent and chaste household.

The last attributes of the virtuous as stated by the Imam is that they are the least covetous in tempting situations, and wiser to look into the consequences of their actions. When someone is raised in a righteous family, where good manners are the norm, and the name of the family matters very much to its members, he is more likely to refrain from getting what is not his right, and to

avoid compromising his family's name for materialistic gains. This behavior will also make him think more about the results of any action he takes, lest it might be unbecoming of him, or ethically unacceptable.

3.3. Providing Abundant Sustenance to the Governors.

“And provide them with abundant sustenance, for that will empower them to better themselves, saves them from reaching for what is in their custody, and will be evidence against them should they disobey your orders, or breach your trust in them”.

A governor enjoys a prestigious position among his subjects, and needs a sufficient amount of money to cover administrative expenses. The Imam recognizes this need and asks Malik to cover it and provide the local governors in his domain with abundant amounts of financial support to enhance their administrative position and political status, and to enable them to improve the lot of their people. Moreover, it will save them from being in need of money from any of their subjects. That will also consolidate their status and integrity, and prevent them from misappropriating what is entrusted to them. Furthermore, the Imam states that providing abundant resources to governors allows for their superior to monitor their conduct and to have the right to call them to account should they deviate from the right course and misappropriate what is in their custody. If the ruler in high authority fails to monitor and call to account his subordinates the two will be regarded as accomplices in wrongful acts.

3.4. Monitoring the Performance of the Governors.

“Monitor and inspect their activities, and keep watch on them by means of those who are trustworthy and loyal, for watching them covertly will motivate them to be honest, and be considerate with the subjects”.

A governor of a city or a region, and the higher authority who appointed him, both are jointly responsible for the policies followed in administering the place, and the way the people's affairs are managed. The ruler is responsible for his choice of governors, as well as for supervising their work. He should be very careful to whom he entrusts the people's affairs. The criteria followed are explained in paragraph (b) above. On the other hand, the governor should be sure that local governors in his domain are dedicated to their duty, and loyal to the principles of the state they are part of, in every action and measure they take. They should also be loyal to the higher authority for the trust placed on them, on the basis of which they were chosen for the job.

Taking it for granted that the governor shall take all care in selecting the local governors in his domain, Imam Ali orders Malik to supervise and monitor their work. He asks him to keep an eye on them by sending reporters and informants whom he should choose very carefully. They should be unbiased, impartial, trustworthy and loyal. Moreover, they should covertly monitor the governors. Because a lot depends on their reports, Imam Ali stresses the importance of selecting the most righteous for that job. When the ruler or governor depends on the reports of his monitors he will be able to take proper action accordingly. Those actions can only be just if the reports of the monitors are fair and accurate. Any amount of inaccuracy or bias, will implicate the ruler in taking the wrong decisions, and may lead him to misjudge the conduct of the governors. Taking into consideration the weakness of human nature: jealousy, rivalry and envy, it is not unlikely that a reporter or monitor be unfair in his work, and some injustice is likely to be done.

The benefit in covertly monitoring the work of the governors is that it will make them very careful in their actions and in taking their decisions. They would know that they are being

monitored, but they do not know by whom. That will prompt them to be very careful, kind and fair in dealing with their subjects, knowing that the ruler will be informed about their work. On the other hand, if they come to know who are monitoring them, they will try to win their favour by any means, by trying to buy their silence, by hiding their intentions and actions, or even by coercing them into not reporting the truth. That way all monitoring will be a failure, and the ruler will be unable to take the right action, or might even take the wrong decision.

The mere idea that The Imam initiates the practice of covertly monitoring the conduct of the governors is an indication that the state needs a source of accurate information about what is going on, and how governors, and any official for that matter, are conducting their jobs. No leader can close his eyes to what is going on in the realm of his responsibility. Whether in time of peace or in war, information is vital for taking the right decision, and for planning for any course of action. But, to abide by the ethics of Islam, it is crucial to avoid falling into the trap of creating an unjust and oppressive system of information gathering.

There are two factors that determine the efficiency and righteousness of such a system. Any one employed in the system should commit himself to be loyal to what is right and just, rather than to persons. Imam Ali said: **“Recognize the Right, and you will know its people”**. Secondly, it is to be mainly oriented towards monitoring the work of the government leading officials, to ensure the proper running of public affairs, not to spy on the everyday life of ordinary subjects. Any misconduct or deviation of those employed in such an apparatus is likely to create an oppressive and feared system; and the whole concept of monitoring the work of officials will fail. The reason is that

employees of a security apparatus are subject to fall into the trap of behaving like watchdogs on the people's daily life, forgetting that they are supposed to be protectors and guardians of their welfare and security.

4. Clerical Staff.

This class of government officials are those employed for drafting correspondences, and keeping records and documents of different offices and administrative agencies. The following are the qualifications and personal attributes that make them suitable for the job, as recommended by Imam Ali.

4.1. Qualifications.

The Imam begins by advising the governor to look carefully into the qualities of those he employs in his offices, and to appoint the best in the job:

a. “Look into the qualities of your employees in clerical jobs, and assign the best of them to manage your affairs”. No doubt the letters and correspondences that come to the governor, and those initiated in his office, are very important. They convey his orders and instructions to his subordinates all over the regions of his responsibility; and the letters coming to him inform him about what is going on there. Imam Ali recommends employing the best clerks for this job, which means the most qualified. It is known that the skill of writing was not available to many at that time. Therefore, to ensure that state affairs are entrusted to highly efficient employees, the best of them and the most trustworthy should be chosen for the job.

b. “Confine your correspondences in which you keep your confidential plans to those most worthy and of good character. They should not be those spoiled by your kindness that they dare disagree with you in the presence of others”.

A governor may have certain confidential matters in his administrative work. When a clerical employee gets the impression that the governor confides in him and prefers him, he might become spoiled and allows himself certain amount of familiarity. The Imam recommends that confidential matters should be entrusted to those unlikely to be spoiled by the kindness and care given to them by the governor. There is a risk that those spoiled employees may embarrass the governor if they dare show some differences with him about a matter in the presence of others.

c. “Nor may they be so negligent that they fail to hand you the letters of your subordinate governors in time, or to issue the answers to them as accurately as you dictate, in what comes to you, and what is initiated by you”.

This is clear enough that little explanation is required. Officials employed in an office must be efficient enough to promptly present to their boss all the correspondences that come to him, and accurately issue the answers according to the directives and opinion of their boss.

d. “He should not create any weakness in an agreement he drafts for you, nor should he fail to save and relieve you of any disadvantageous bond in an agreement”.

When a clerical official is assigned the job of writing the draft of an agreement or a contract for the governor he should try his best to compose the text very accurately and precisely, so as not to bind the ruler with any unfavorable conditions, or ambiguous wording. He should also be able to protect his boss from any unfavorable conditions in an agreement with another party; all for the purpose of safeguarding the interests of the nation and the state. To achieve this aim the official employed in this job should possess a good mastery of his language. Any weakness in writing a document might create confusion and

ambiguity which could well be disadvantageous to the governor and the state.

This matter is of the utmost importance in our present time. It has become the responsibility of governments, or any establishment for that matter, to be so precise and cautious in drafting the text of any treaty or contract. Specialized firms, lawyers and councilors are employed in drafting treaties between states, and contracts with companies and other parties. It is necessary to avoid any ambiguous terms that could be interpreted in an adverse way; or to the contrary of what was intended, because of which the interests of one party might be compromised. There are many examples in history when a strong state dictated terms of treaties with a weaker state in a way that could have more than one interpretation. The weaker side either being in no position to object; or it did not have efficient and experienced representatives able to protect their own interests. The result will be endangering to the security and the interests of the weaker side.

e. **“He should not be negligent of his own capabilities in handling matters; for he who is ignorant of the value of his own self is more ignorant of the value of others”.**

Any one assigned a certain job or responsibility should be self-confident, and sure of his ability to deal with all aspects of his duty. This self-confidence enables one to look deeply and thoroughly into any question or task he handles. It enables him to realize the intentions and plans of others, and puts him in a strong position to safeguard the interests of his own side. But if he is unsure of himself, hesitant in taking the right decision, the other party will soon discover his weaknesses and use it for their own advantage. The high interests of the nation will be at risk, and such an incompetent official might implicate his government in dangerous and unfavorable commitments.

4.2. Beware of Adulators.

During the time this charter was written there were no specialized institutes or schools that qualify government employees and officials for their jobs. The rulers and governors depended on their personal experience with people, and their own judgment of the suitability of any one for a job. The Imam was aware of the potential risk in this method of selecting people for jobs. He warns Malik not to rely on his personal impression and good faith in people in choosing anyone for a job. He advises him:

“Let your choice of them be based not only on your good faith, confidence in them, or personal impressions about them. Men try to win the confidence of the governors by feigning loyalty and offering good services. There is no loyalty or honesty in that”.

Many people try to show the rulers and those in authority that they are loyal to them in order to win their confidence. They also offer their good services to convince them of their loyalty and readiness to serve them well. Unless someone is tried for his ability and trustworthiness a governor will have no means of thoroughly and accurately assessing him or her; so they take them by their outward disposition, and by their assumed readiness to satisfy job requirements. Imam Ali warns the governor about those adulators who do anything to achieve their goals. In fact, a genuine and efficient person does not have to beg for a position. He would be confident that his capabilities will place him well, except in exceptional circumstances. On the other hand, those who feign qualities they do not possess, will eventually end up being betrayed by their falsehood.

The Imam was well known for his ability to recognize adulators, thanks to his deep insight, his sharp mind, and his exceptional intelligence. He was never enticed by praise or

flattery. A man came to him once and praised him too much. The Imam, being in doubt of his loyalty, replied: **“I am less than what you say, and above what is inside your heart”**. By nature, man usually likes to be praised by others. When people discover this weakness in a governor or leader they will take all opportunities to pour on him all the praises in the world to win his favors. Imam Ali explained this attitude, saying: **“One might be enchanted with a good word in his favour”**.

4.3. Appoint the Tried and the Most Helpful.

“Examine them with what good work they had done for the righteous leaders before you. Entrust those who had left the best impression with the common people; and those most appreciative of the importance of honesty. That will be a proof of your loyalty to Allah and to whom you were appointed to govern”.

The directive here is to follow the policy of the righteous leaders before you in the way they selected their assistants; as the righteous are more likely to choose the righteous. Moreover, he adds that from amongst the righteous followers you should choose their best; those who have left a good impression on the common people. That status can only be won by kind and humane disposition towards the common people. Once again the Imam emphasizes the value of safeguarding the interests of the common people, whom he always put at the forefront of his concerns. He considers the satisfaction of the commoners an indication of the success of a ruler.

Another feature of the suitability of an official is his strong commitment to be honest and trustworthy. Following those directives will be a proof of the loyalty of the ruler to his Lord, and to those he is governing; as well as to the leader who entrusted him with this responsibility. It is quite evident that

Imam Ali associates loyalty to the interests of the people with loyalty to Allah. The first loyalty is a verification of the second; when a governor loyally serves the people, he is loyally serving his Lord. The Prophet said: **“The best of people is the one most useful to people”**.

4.4. Appointing Heads of Offices.

“Appoint from among your staff members a head for every office; who does not get overcome by difficult tasks, nor will he be overwhelmed by their large number”.

The governor is instructed to appoint some of his assistants a head to lead the groups of officials in various offices of his administration. This will define the limits of responsibility in any department of the administration. Then the Imam defines the capabilities of those appointed as heads; that they must possess the capacity required to manage the job assigned to them in a way that no difficult task may be beyond their capability, nor would they lose control when faced with numerous issues.

4.5. The Governor’s Responsibility of his Choices.

“Whatever failing there would be in your officials that you might overlook, you will be responsible for”.

It is logical that a governor, or those with the authority to assign jobs to officials, will be responsible for their choices. Should any official prove incapable of managing what is assigned to him, he should be relieved of his job, and replaced by a more competent one. The governor should not turn a blind eye to the faults and shortcomings of those he has chosen for any job, for reasons of seeking their political support, or being close friends or relatives of him, or even to satisfy a social relationship. The consequences of the mistakes or mismanagement of those will be his liability. He will be more affected by their poor performance than any other would.

5. Finance

The main economic activities in Arabia were, trade, land cultivation, and livestock breeding; besides a limited scope of simple domestic industries managed by local artisans. In this section there will be a review of the instructions of Imam Ali about the Islamic policy on the economy, on revenue collection, on those employed for the task, and about land management and reform. On the other hand Egypt, where Malik is appointed as governor, was a fertile delta land with advanced agricultural situation, with notable artisan abilities, and most probably a healthier economy.

“Inspect the operation of collecting revenues in a way that ensures the propriety of those in charge of it. It is in their propriety that the wellbeing of others lies. There will be no wellbeing of others save by means of their propriety. All the people are dependent on the revenue and on those in charge of it”.

These are instructions to the governor to supervise the matter of revenues and taxes in a way that caters for the wellbeing of its payers, for the welfare of those who need it, and of those who collect it. Taxes and levies should be collected in a civilized manner that makes the payers willing to pay them in good faith, as well as to serve the purposes for which they are levied. It will be explained later on how Imam Ali instructs tax collectors on the best way to do their job. If the levied taxes are beyond the ability of the payers it will be a burden on them; they might even become unable to pay it. If they are made to pay it by force they might end up poor and unable to work their land, or to improve it in a way that maintains its productivity. Therefore, there is a common interest in following a fair and easy way of tax collection.

5.1. Land Development has a Higher Priority than Collecting Taxes.

“Let your attention be more on land development than on tax collection; for tax collection cannot be achieved without land development. Whoever wants to levy land taxes without development will ruin the country, and impoverish the people. His authority and reign will be but short-lived”.

There are two matters in these instructions:

a. The Imam asks the governor to pay attention more to land development, than to levying taxes. His viewpoint is that collecting the required amount of taxes can only be achieved by improving the condition of the land; which will ultimately improve its productivity, and hence generate more taxes, as well as making it easy to collect levies fully and comfortably. The result will certainly be in the interest of the whole community, as more tax returns to the government enable it to plan and execute more development projects; which will also create more jobs and encourage investment, and improve the standard of living. Production will also be on the rise when land is well served, and the national economy is improved.

It is well known in modern economies that when a state wants to generate more taxes in order to promote economic development, one measure is to reduce tax rates. This is intended to encourage investors to supply the capital required to create more industrial and agricultural projects. This policy will increase productivity, lead to higher economic growth, and ultimately generate a higher amount of taxes for development and public services. That agrees with the saying of the Imam that healthy land tax revenues can only be realized by land development.

b. The second matter is that concentrating on tax collection only, without paying attention to development, will bring about ruin and failure. In such a situation the governor might not be able to sustain his authority, and his reign will be in danger of failing and coming to an end. When the farmers are burdened by heavy taxes their ability to develop their land will be badly limited; their efforts might come to naught. They will end up in a situation where heavy taxes will leave them with so little in hand that it will not be worthwhile putting all their efforts in. To maintain their livelihood they may be driven to leave their land and go somewhere else, looking for income from other work. When a country's agricultural economy fails it will lead to many other social and economic problems. Farmers will go to cities and towns looking for jobs; farm produce will fail, and food prices will soar. Many will lose their livelihood, and famine and food shortages will imperil social stability. Governments will find it very difficult to maintain order; and social unrest will ensue.

Imam Ali asserts that when the economy of a state fails as a result of neglecting land development and the imposition of heavy taxes, the days of the rulers will be numbered. They will be unable to finance their services, pay their soldiers and officials, and sustain the nation. It is clear that the Imam gives priority to taking care of the people's interests over collecting taxes from them, as a sound policy for economic stability and social prosperity. There are many historical examples of rulers who concentrated on imposing taxes, ignoring the seriousness of the situation, oblivious of, or even indifferent to the miserable ultimate end.

5.2. Managing Land Problems.

The government is to be responsible to help the farmers for maintaining the productivity of the land, and to offer any help

and relief in case of natural problems or disasters in the land. The charter of Imam Ali caters for that. He says:

“Should they complain of any financial difficulties, of problems in their land, of shortage of irrigation water, of inundation that spoils the land and the crops, or the land gets damaged by drought; you should relieve them with what you hope will improve their conditions”.

Droughts, inundations, and shortages in irrigation water, are all harmful to agriculture. In many cases farmers cannot by themselves have the means to protect their land, or to avoid the damage caused by natural disasters. The state must shoulder the responsibility of providing all help that enables the farmers to keep investing their land, and to compensate them for the losses they might be exposed to. When they feel that the government stands by them in times of crisis they will be more ready to stand by it when it needs them. They will realize and appreciate the vital importance of national solidarity. The Imam, by his thorough knowledge, accurately assesses the effects of natural problems farmers may face in their work in agriculture, and comes forward with the right solutions.

5.3. Help Given to People.

“Do not consider it a burden on you to provide them with any amount of help to relieve them of their difficulties. It is a treasure that you save, which they will pay back to you in developing your country, and in gracing your governorship. This (policy) will make you win their fine praise, and make you proud of establishing justice among them. The services you provide them with, the justice with which you treat them, and your kindness towards them, will all make you sure of their support. It is probable that some hardship may come when you will need their support (to overcome), which they will bear in good spirit and contentment”.

Imam Ali reminds Malik not to consider whatever he presents to his subjects as too much, or a burden on him. His duties towards them, and the prosperity he is tasked to realize for them, are not personal favours. The Imam reminds Malik that whatever benefit is realized for the people will be a treasure for him; it will make him win their love, and be sure of their support in case he might one day need them in a difficult situation. When the people love their leader they will rally to his support wholeheartedly, the Imam asserted.

When a leader is held in high esteem by his people, he is very likely to be obeyed and revered. There is a remarkable incident in the history of Islam. Shortly after Prophet Mohammad settled in his new capital Medina, he was accompanied by a small number of his fellow Moslems who fled the persecution of the Meccans. They were in a bad economic situation, as they left behind all their possessions. The Prophet enjoyed the love and appreciation of his followers. To create a community of common social solidarity, he suggested to the Moslems of the city of Medina to share their possessions with the migrants who came from Mecca. The people obliged willingly, and a sense of a common cause was created in the community. Had Prophet Mohammad been impulsive and forced people to share their belongings with others, they would not have accepted willingly. That was a form of socialism with a human face.

5.4. Causes of Land Ruin.

“A prosperous development may bear whatever you may provide for it. Surely, land ruin is caused by the poverty of its users, and their poverty is caused by the greed of the rulers, who go on collecting (money), being uncertain of remaining in their positions, and learning little from past lessons”.

We can find in these phrases of Imam Ali a remarkable perspective on the basics of development. He identified the causes of land ruin, and the role of rulers in those economic situations. Land and country development requires continuous care by investors, and sustainable expenditure by the state, to create a prosperous economy, and maintain the fertility and productivity of the land. When governors concentrate only on collecting as much tax as they can, the farmers will be impoverished. That will lead to shortages in the effort and money required to serve and exploit the land. The situation becomes the worst when a governor has little hope in remaining in his position; he will waste no time in grabbing whatever comes under his authority, ignoring the value of learning from historical lessons.

The following historical example agrees with the opinion of the Imam. The Ottoman Empire ruled Iraq for nearly four hundred years before World War One. The governors appointed by the Sultans in Istanbul used to dislike the job; being sent to govern a remote hot dry country. Many of them considered that appointment as a kind of punishment for something they did, which the Sultan did not like. Those rulers behaved in exactly the way Imam Ali described bad governors. All their efforts were directed towards collecting as much tax money as they could from the peasants and citizens, sending some of it to the Capital, and pocketing the rest. They were also aware that they may be removed from their positions at any time. As a result of their negligence, land conditions deteriorated and irrigation systems were not maintained.

That époque of the history of Iraq was the worst, and people suffered a lot. The authority of the government in the countryside was weak, and most of the rural areas were out of their control. The governors showed no interest in the wellbeing

of the people; some even felt aversion to them, even before arriving at the place, assuming that they were vengefully sent to govern a backward poor country, with harsh weather conditions in summer, and an unwieldy population. The results were tragic. By the time the rest of the world was enjoying progress and development, during four centuries of science and enlightenment, Iraq was going from bad to worse. All public utilities were in the worst condition, and numerous times the country was devastated by floods and plagues, with little or no attention from the authorities. (cf. Longrigg, S.H., 1925, *Four Centuries of the Modern History of Iraq*).

Another such example is related about Al-Hajjaj, that notorious governor of Iraq during the Omayyad reign (41-132 AH), that he neglected the welfare of the nation, and oppressed the people. His unjust rule and harsh treatment of the people ruined the economy of the country. The revenue before he took office was estimated at more than one hundred million Dirhams. As a result of his bad policies it was reduced to about twenty five thousand Dirhams only.

5.5. Methods of Collecting Duties.

In the charter under study, there is no specific procedure to be followed in collecting the taxes and duties. However, there are two sets of instructions directed to those assigned the job of collecting duties to be found in other parts of the collection of the speeches and words of Imam Ali in the book: *Nahj Al Balagha*, which is a collection of his speeches and letters, and contains the text of this Charter. In one of the instructions, addressing the tax collector, he wrote:

“Go ahead, on the piety of Allah, the one and only one, to whom there is no associate. Do not scare a Moslem. Do not enter his place without his consent. Do not take from him more than the rights of Allah in his property. When you

come to the quarters of a community, lodge yourself at their watering place (outside their living quarters), not amidst their houses. Go to them in peace and dignity. When you are amongst them, greet them well; do not stint in your greetings to them. Then say: O, servants of Allah. I am sent to you by the Waliyy of Allah (*in this context: it means a ruler who righteously abides by the will of Allah on earth.*) and his Caliph, to collect from you the dues for Allah in your property. Is there in your property a right for Allah that you have to pay? If one of them says: No, do not repeat your question. When one of them answers: yes, go along with him, without frightening, coercing, or burdening him. Then receive what gold or silver he gives you. If he has some cattle or camels, enter upon them only by his permission; as the major part of that is his. When you enter their stable do not behave authoritatively, or violently. Do not startle an animal, or make it bolt; nor should you annoy their owner. Divide the property into two parts, and allow him to choose. Do not object to what he chooses. Keep doing the same thing (with the rest) until what is left covers Allah's rights in his property; then take it. If he objects, accept his objection. Then put all the parts together again, and repeat what you have done before, till you take from him what are the due rights of Allah”.

What we find here is a very early system of self-assessment in tax collection; a method built on mutual trust between the state and the citizens. This is a credit to Islam regarding its economic policies and good will towards people. To be fair, the oppressive policies of kings and emperors who ruled, and are ruling today, the Islamic nation should not be considered as representative of the Islam that the Prophet advanced to mankind at large. Any comparison with what had been in practice is totally unfair; considering the policy Imam Ali followed in

managing the Islamic state, and ordered Malik to follow and apply it.

In another body of instructions the Imam issued to tax collectors:

“...Know you that what you are charged with is but little, yet its reward is much...Be fair to the people, and be patient with their needs; for you are the treasures of the subjects, representatives of the nation, and ambassadors of the leaders. Do not deprive anyone of his needs. Do not sell, for the collection of the taxes, people's garments for winter or summer, nor an animal by which they work, or a worker they have. Do not lash the back of anyone for the collection of one Dirham”.

There is a great amount of emphasis in these recommendations to consider and preserve the dignity of the people. They are more oriented towards securing the interests of the tax payers than towards the rights of the state. Most notable is the order of the Imam to avoid touching the means of production: which are the animals, and the hand workers used in servicing the land. Any loss in the means of production will have an adverse effect on the yield of the land, which means a loss to the farmers, as well as to the state, and to the nation at large. The other noticeable matter is preventing tax collectors from selling any summer or winter garment of the tax payers to pay for the state duties. In this order the dignity of man is to be highly respected. How would a man feel if he finds the state taking away from him and his family their means of livelihood, their vital needs for a dignified life, or their means of serving their land and earning their daily bread? The Imam stresses the providing of what is necessary for a dignified life for the people before the collection of state duties from them.

Imam Ali shows the utmost regard for the dignity of his people when he orders the tax collectors never to abuse anyone. He forbids inflicting corporal punishment on people in collecting the duties, even if it were for paying what he considers to be the rights of Allah. Bless you, our great humane Imam. You have predated the social systems that endeavor to preserve man's dignity, and his right to have the means to maintain his wellbeing; before being asked to pay the prescribed official duties.

In sharp contrast to the methods of collecting taxes proposed by Imam Ali, many rulers have shown little respect and regard for the people. The following report is narrated by a scholar on how taxes used to be collected during the Abbasid reign, about a century after the death of Imam Ali:

“...I was informed that they used to hold tax payers under the sun, whip them hard, load them with water jars, and bond them in a way that prevents them from holding their prayers. All this is a grave misdeed, disobedience of Allah, and hideous in Islam”.

6. Trade and Industry.

Special attention is paid in the Charter to the productive sector of the nation. They are the traders and businessmen, and the artisans and industrialists. Those people, besides the farmers, constitute the basis of the national economy. He considers their activities vital for the wellbeing and welfare of the community. Imam Ali recommends providing them with all opportunities, and giving them all support to help them succeed in their enterprises. Besides that he warns of the possible negative aspects of their transactions; and explains to Malik how to deal with those shortcomings.

6.1. The Traders and the Artisans.

“And take care of the traders, the artisans, and the industrialists. Commend them well; those who work in their

premises, those who rove about the land with their assets, and those who earn their living by physical labor. They are the means of public services, and the source of utilities. They bring goods and facilities from remote locations; across land and water, valley and mountain; where people cannot reach to, nor can they venture for. They are a secure peace with no adverse consequences to fear, and an accord with no mischief to worry about”.

The social activities of the classes of traders and artisans play an important role in the life of the community. Imam Ali considers them as a vital part of social activities, where they provide for the people their daily life requirements: in commodities and in services. This statement is a recognition by Imam Ali of the efforts of the traders in taking all the trouble to bring to the people what they need, taking the risk to travel far and beyond to do that. Travel at that time was strenuous and risky. They crossed deserts and mountains on animal back, and sailed the seas in small ships, to bring goods and utilities. What those traders were able to do was not accessible, and still is not, to normal people, who may have no means or ability to get all their needs in time and place.

In order to reassure the governor about the benefits of taking care of this class of people Imam Ali informs Malik that they do not constitute any danger to the security of the state. Businessmen and industrialist care very much about the stability of the nation, which secures their assets and investments, and provide the opportunities for making profit. When security and peace prevail in the state they will be encouraged to invest to expand their business and improve their services; being sure of making good money. Once they feel insecure and in danger of losing some part of their possessions they are more likely to withdraw from the market, or freeze their activities, which will

have adverse effects on public life. Hence the Imam confirms that they are a secure peace with no adverse consequences to worry about, providing they are sure of making money.

6.2. Monitoring the Activities of Businessmen

“Look into their affairs, in your immediate vicinity, and in the far-flung parts of your country”.

This recommendation is about encouraging the traders and industrialists to expand and invest; improving life conditions by their services and trading. To achieve that aim the state should provide a suitable environment to keep the economy developing and be maintained in a healthy state. There might be another purpose to this recommendation; that the governor should be careful about any possible harmful actions by those in control of market activities. We shall notice below how he warns against monopolizing the markets by merchants and businessmen. Together with that the governor is asked to keep an eye on all of them, whether in the vicinity of his capital, or at the peripheral locations of his country.

6.3. Preventing Greed and Monopoly.

“And know you besides, that many of them have excessive greed, ugly avarice, monopoly of utilities, and overbearing control on prices. That is disadvantageous to the public, and a defect on the governors. Prohibit monopoly; for the Messenger of Allah, peace be upon him and his progeny, prohibited it”.

While recommending encouragement of the activities of traders and artisans, providing all facilities for their work, Imam Ali warns against their greed and the tendency to monopolize trading and production. He considers this kind of behavior harmful to people who are in need of those goods and services for their existence. When services and commodities are monopolized by traders and industrialists a large section of the community will

suffer, and might find them beyond their means. The governors will also be in a critical position, when they become unable to protect the interests of the common people, and fail to curb the greed of those in control of production and services.

Imam Ali orders Malik to prohibit monopolies, reminding him that the Prophet himself did that, which is a clear indication that the Islamic doctrine does not allow them. By this order, and warning about monopolies, the Imam is trying to protect the governor from the possibility of taking part in market activities; coveting profits and making money. Many businessmen try to entice those in office in offering them shares and possibly partnership in trading and industries; to secure their protection for their enterprises; or even passing to them parts of their profits. By assigning to the governor the task of prohibiting monopolies, as a principle of Islamic economic policy, Imam Ali had put him on the other side of the table. He cannot be partner in business when his responsibility is to be watchful of them and to prohibit monopolies.

In many modern societies the state may pass laws and issue regulations and rules that prohibit monopolies, or limit their effects on national economy. Free competition is encouraged in production and in sales to safeguard the interests of the common people, and to drive producers and retailers to try to win the satisfaction of the consumers. In certain circumstances, some governments may even enter the market as suppliers of commodities in order to stabilize prices, and to curb any attempt towards monopolizing the market. The danger here is when the ruling class go into partnership with those who monopolize the national means of production. A balance between private enterprise and state control should be worked out to create a state of welfare, in which all social classes thrive, and get their fair share of public wealth.

In many countries the state may form special departments that protect the interest of consumers from the greed of the traders and producers who try to impose their pricing policies, or market commodities that are faulty or unsuitable for consumption. They may also encourage the establishment of non-governmental organizations that protect the rights of the consumers. When the community is well organized and has a leadership that is freely elected and enjoys the confidence of the people, it will be able to face the plans of the monopolizing firms and establishments who try to make the highest profits at the expense of the consumers.

6.4. Fair Dealing in Selling, and Accurate Measuring.

“Sales should be fair and just with accurate measuring scales; at prices that are fair to both the seller and the buyer. Anyone who commits a monopoly after being warned should be reprimanded and punished by you; but not excessively”.

There are three points in these instructions: The scales of weighing should be accurate, prices to be fair to both sides, and there should be no monopolies. Moreover, a monopolizing businessman should be reprimanded, but not excessively.

In the early years of Islam, The Quran strongly denounced those who defraud people, and deal with them unfairly.

“Woe unto the defrauders. Those who when they take a measure from people, they take it in full. But when they give people by measure or by weight, they cause them loss” (83: 1-3).

This verse, and many others like it, shows that Islam is strict in protecting the rights of the people, and that everyone must only take what is his fair and legitimate right when they deal with each other in buying and selling; and that cheating in weighing and measuring is a grave sin. That warning and

reprimand is meant to protect the interests of everyone, and to promote justice in all aspects of life.

Regarding pricing policy, the Imam also instructs that selling and buying should be in prices that are fair to both sides. The seller should get a fair profit that encourages him to continue in his work and promote his business, the matter that ultimately benefits national economy and improves the living standard of the people. Together with that, the merchants should not impose a very high profit margin, and should price their goods within the ability of the purchasers, in the range they can afford. When there are prohibitive prices on goods and services the consumers will be unable to afford them, and commodities will not be sold, consequently production will falter, and the whole economic system will suffer: labor force will be redundant, and unemployment will become high. It will be a vicious circle that will harm all the social structure.

While Imam Ali asks the governor to prevent monopolies, and prevent inaccurate measuring scales, he counsels that punishment should not be severe against defrauders. To punish businessmen and service providers severely might be counter-productive. It will scare them, and they will soon stop promoting their concerns, or even withdraw from the market to protect their assets; a reaction against the strict policy of the government towards them. That will be disadvantageous to the public. Businessmen and industrialists can afford to close down their shops and freeze their activities, and still have the means to live comfortably. They might even smuggle their assets abroad to save their belongings. In that case the national economy shall be the great loser.

Chapter Six

The Specials and The Commoners

1. Introduction

Imam Ali considers the community to be of two social classes: the elite and the laymen. The first category includes the rich, the influential, and those close to the rulers. He names them the **Specials**, and names the other category the **Common people**. He openly shows strong inclination towards the commoners, and advises the governor to take care of them, and to be very cautious of the behavior of the Specials. In his personal attitude he always identified himself with the needy and the humble. The way he lived was marked by austerity and a noticeable tendency towards ascetism. The Prophet recognized that attitude in Ali, and named him the imam of the destitute, and told him: **“They are content with you as a leader, and you are content with them as followers”**. In the following paragraphs a number of anecdotes are related, which illustrate his bearing during his life, especially during his reign as Caliph. They describe the way he lived, and his disposition towards his close relatives, his companions, and state officials.

During his rule as Caliph, Imam Ali was happy to lead a frugal life; while he reigned as the head of the Islamic state, which spanned a wide area, from Persia in the east to North Africa in the west. When he arrived in the city of Koofa, which he chose as his capital of the state, he looked for a house to live in. They showed him the official residence of the governor of the city, which was a moderately big house. When he saw it, he refused it and described it as **The House of Madness**. He chose

a small house of three rooms, which is still in existence in that city in Iraq, about 160 kilometers south of Baghdad.

His elder brother Aqeel was in a miserable state of poverty. When he saw his brother in the position of Caliph, he came to him and asked some extra help for his needy family. Imam Ali told Aqeel that he had no money in hand, and asked him to wait till he got his salary before the end of the year. Aqeel asked Ali to use his authority to order some money for him; the Imam asked his brother to come next day. Imam Ali prepared a hot rod of metal for his brother, who was blind; he asked him to open his hand, and brought the metal close to his skin. Aqeel was shocked by the heat of the metal; wondering if his brother had wanted to scorch him. The Imam delivered the lesson to Aqeel, admonishing him:

“May you be bereaved, O Aqeel. Do you ache from a piece of iron a man heated for his play; and drag me to a fire ignited by the Almighty for his wrath?”

The Imam came to know that the governor he appointed in Basra was invited to a banquet. He wrote to him admonishing:

“I was informed that a notable of Basra had invited you to a banquet; and you hurried to it, enjoying varieties of delicacies, and all sorts of dishes. I never thought that you would accept the banquet of people, the poor of them are shunned, and the rich are invited”

Kings, sultans, and rulers in Moslem countries considered themselves entitled to public property, as if their own. They are still doing that, leaving millions of their people in dire need, and their countries in a state of backwardness; while they accumulate billions and billions. It is narrated that Prophet Mohammad had decreed that a Caliph after him was only allowed a garment for winter, a garment for summer, daily food for him and his family, and the same to be given as charity. When the Prophet died he

was in debt; and when Imam Ali died, all that he left behind was six hundred Dirhams, equivalent to about some fifty or sixty dollars of today.

In the following pages we shall look into the way Imam Ali viewed the two groups of people: the Specials, and the Commoners, and what were his recommendations and instructions regarding what stand the governor should take toward them.

2. The Specials.

2.1. Close Companions.

“A governor has close companions and entourage, who tend to be selfish and overreaching; with no sense of fair dealing. Put an end to the power of those by denying them the means to be like that”.

This statement describes the manners of the class of people who are close to rulers and governors; being selfish, and inclined to be unfair in securing benefits and privileges. They believe that by being close to the man in authority they have the right to secure concessions, to possess more than laymen do, and to grab more than their fair share of rights. This phenomenon is common in every community, and it is one of the reasons that caused that great rift in Islamic society early in its history. The excessiveness of those people leads them to usurp the rights of those simple people who have no means of defending their rights, or even unable to complain to the governor. The lack of a sense of justice in the specials, which is an outcome of the first two traits, makes them unable to bear being treated equally with others. The Imam advises Malik to be prompt in depriving those close companions and relatives of any means that may allow them to be a privileged class of citizens, at the expense of the whole community.

2.2 Safeguarding the Governor.

To safeguard Malik from the bad effects of the excesses of his close companions and the elite of the community, Imam Ali instructs him to be cautious of them. The following is a deep insight of the Imam into their behavior and mentality:

“There is no one among the subjects more burdensome on the ruler in times of opulence, less helpful to him in times of difficulty, more hateful of equity, or more importunate in what they ask; less thankful when given, most reluctant to accept excuses when denied things, and less patient in times of misfortunes, than the specials”. There is abundant evidence in history to prove that he was so accurate in understanding the motives of people, and the stance they take in life, especially that of the special class. The following negative traits that categorize the behavior of the specials are recognized by the Imam:

a. The specials, says the Imam, become a heavy **burden** on the ruler in times of opulence. They ask more, and still want more; as if it is their legitimate and acquired right for the support they give him. The more he responds to them the greedier they become. Should their fellow be in difficulties, and asks them to sacrifice some of their concessions to help him, they will be the least ready to oblige. They are loyal as long as the ruler is in opulence and showers them with benefits. But, as soon as they realize that his fortune is declining, they will flee, abandoning him to his miserable destiny. They give priority to their own interests, at the expense of the public interest.

b. Regarding what rights common people are entitled to, the specials only care about what secures their own. Their concept of equity is very narrow and most subjective. That is why the Imam describes them as more hateful of equity. Equity means justice in giving rights and shares in public wealth; and not wrongfully favoring any particular class or individuals at the

expense of the masses. As mentioned above, he followed a strict policy in giving equal shares to all, which led to the displeasure of some of the special class. Moreover, those who hate equity are more importunate in their demands. When they want something they persist and overburden whom they ask; even if they were not in need. They are insatiable, and covet more wealth and influence in life.

c. The specials are described as being **less thankful** when given. Those people consider what the ruler gives them as a compensation for the support and help they give him. Thus, they have no real motivation to be thankful to him, except perhaps nominally. They realize how much an oppressive ruler is isolated from the public, and is in need of their help and support, no matter how he pretends to be otherwise. They are also, as the Imam said, less ready to accept an excuse when denied what they ask. In case the ruler is unable to give those close to him what they want they will not try to find out if there were any real reasons for that. They will always presume that there should be no barrier against getting what they want. Besides that, each one of them believes that he is more deserving than the others; and when they are given more than him, he will become envious, and try to discredit them.

When a ruler shows inclination towards some of his companions more than to others, or favors some with more benefits, there will be envy and rivalry amongst them. Those who become closer to him will try to fill him with false charges against their rivals, and make him in doubt of their loyalty. They might even instigate him to eliminate them. Because rulers of this kind are more likely to trust their closest companions, or they have to depend on them, they will soon begin to follow their counsel and adopt their views. In certain cases they may become puppets in the hands of those aids, unable to oppose

them, and finally become captives of their will. On the other hand, those aids who lose their prestige and concessions, may rally against the leader, and create obstacles to his plans. When they feel unable to get rid of him by their own means, they will even collude with any power that opposes his rule. They do that not because they want to champion the right, but they seek to spite him for deposing them from their positions. However loyal to him they might pretend, they deeply detest him.

d. **“They are less patient in times of misfortunes”**. When the ruler is of the kind who buys loyalty from the specials, and happens to face a difficult time, or be troubled by crises that threaten his existence, his close companions will not have the motivation to help him, or support him in his dilemma, or even exercise patience with him till he overcomes his difficulties. They do not support him for the cause of Allah, but to serve their own interests. Should fortune desert him those whom he favored with wealth and concessions will show no desire to stand by him. They will even look forward to his ultimate downfall. In some cases they will waste no time in running away with what they possess, leaving the wretched fellow to his miserable destiny. History is full of such cases. Do such rulers ever learn the lesson?

2.3. Be Cautious of your Assistants.

“Beware of the assistants. Should any one of them misappropriate something, which all of your reporters confirm against him, you should consider it sufficient evidence to inflict harsh punishment on him, and retrieve from him what he had misappropriated. He should be disgraced, impeached with breach of trust, and branded with the shame of incrimination”.

The assistants of the ruler could be those local governors he appoints in certain places, or the officials in his administration.

Caution requires watchfulness, and those who are tasked with monitoring the governors and the officials, as described above, should be righteous, trustworthy, and just. According to their qualities Imam Ali advises taking their reports as enough evidence to impeach any transgressor. By this measure a strong deterrent is put in the way of any potential transgressor in the close circle of companions around the governor, or some of his assistants.

The Imam must have realized, by his insight and sharp observation of the conduct of people, that the assistants of a ruler, depending on their relation with the man in authority, are likely to overstep what they are entitled to, make selfish use of their authority, and grab what they are not entitled to. Because of its bad effect on the public interests, the governor should be adamant in taking all measures against any transgressor, and this will deter others who might try to do likewise. Some of those included in this category might be notables in the community, some relatives of the rulers, or those prominent in their sphere of influence. In fact, wherever we look around, we find this phenomenon in many societies. Although this kind of conduct is likely to be part of human nature, it should not be accepted as a matter of fact, or be tolerated. Transgressors should be indicted, whatever their social position or status might be.

This kind of disposition towards transgressors could be idealistic, and difficult to apply. But all divine religions are ideal doctrines that try to elevate human nature towards the ideals of goodness and noble ethics, no matter how that might seem exemplary, or difficult. If Divinity had no hope of realizing justice in human society what would be the benefit of sending prophets and messengers and reformers, and revealing the Scriptures? The reformers too, whom Allah orders to lead human societies and guide them towards the right path, would find their effort pointless and in vain.

2.4 Grant no Estate to the Specials.

Imam Ali is greatly concerned about the possibility that one of the rulers might allot agrarian estates or other real properties to some of his companions. The following is a strong warning about that:

“Do not grant any estate to any of your entourage and close relatives. They should not look forward for any contract that (they hope) you might accord them which is likely to do harm to the land owners neighbouring them, in matters of irrigation or joint effort; whereby they burden others with it. The benefits will be for them, while the defects will be on you; in this world and in the hereafter”.

The main economic activity at that time was land cultivation. It was a very profitable business. Members of the special class may covet the possession of productive lots of land to make good profit. They are in a position to make governors warrant them deals and contracts to possess agricultural estates. Imam Ali warns of the risk of granting estates to those close to the man in authority.

The Imam was anxious not to create a feudal system. One way he thought of avoiding the possible creation of a feudal system was to prevent those specials from intruding on the rights of those neighbouring their estates. They might also want to possess the land next to theirs, dictating their own terms, mostly against the will of the owners. Irrigation water may not be abundant; and they might try to take more than their share of it. More than that, land reforms and maintenance might require joint effort and money from the farmers in the area, in servicing the land, digging wells, or opening water canals and streams. Through their influence those specials are likely to task the simple peasants with all the responsibility, and escape any cost. Imam Ali says that there is a great injustice in such a practice,

and he loudly pronounces his warning against it. In fact, wherever we look around, we notice this injustice in many modern societies.

2.5. Enforcing the Right.

“Enforce the right on whoever is bound by it, the one close to you and the one distant from you. Be patient and content about that; whatever its impact might be on your relatives and close companions. Look forward to the good outcome of what you might find hard in that; the result of which shall be praiseworthy”.

Imam Ali charges the governor with the responsibility of compelling the others to abide by the right, whether those close to him, or the ordinary folks. Some of those close to him might find it hard to accept this egalitarianism. They consider themselves a special class, and tend to believe that being close to the governor makes them entitled to certain privileges unavailable to others. They will look forward to have concessions and special rights, even if against the principles of equality. We find the Imam clear about the matter, and orders Malik to abide by the right, to enforce it on the others, no matter how close to him they might be.

It is likely that following the directives of the Imam will create many problems to the governor with his close companions. Imam Ali advises him not to worry about that, advises him to abide by the right in all cases, and to trust in Allah in all his actions and plans, no matter what support of his companions he might lose. Should he find that too hard on him, the Imam says, it will be enough for him to remember the good end in the hereafter, and what reward Allah promised the righteous and the patient. Even during the lifetime of a governor, there would be some fair and unbiased persons who will remember his good deeds. Surely, he will never be pardoned if

he gives in to the unjust demands of his relatives and friends; while remaining steadfast on the right path is the best course in life, bringing in the acceptance of Allah.

3. The Commoners.

In sharp contrast to his opinion of the specials, Imam Ali shows a strong inclination towards the commoners, who constitute the great majority of the community. They still do to a great extent if we examine the ratio of the poor to the rich in what is termed as the “third world”; a good part of which includes Islamic countries. The Imam feels great compassion towards the commoners, especially the destitute. It is narrated that the Prophet said to Ali that he was the Imam of the destitute: **“...They are content with you as Imam, and you are content with them as followers”**. No wonder then that we see him identifying himself with them, to share with them the difficulties of life, and working hard to secure a decent life for them. He was not bothered about what the specials thought of him, some denying him their support and allegiance. When the masses gave him their pledge of allegiance, and some of the elite did not, he was not bothered, and said: **“Leave them with what they chose”**.

3.1 The Solid Base of Religion.

“Indeed, the solid base of religion, the solidarity of Islam, and the strength against the enemies, are the common people. Let your leaning be to them, and your siding be with them”.

Having defined the traits and failings of the specials, Imam Ali turns to describe the role of the commoners in society, and gives them their merit. The above mentioned phrases illustrates to what extent he was inclined towards this class of people, and

how he appreciated their value in Islam. Their first trait which he mentions is being the solid base of religion.

The Imam was wholeheartedly devoted to the cause of religion of Islam; dedicating all his efforts and abilities to ensure its success. He gave his faith the priority in everything he did or said. That should not be surprising, since he was the first to believe in it, who struggled hard for its cause, and disregarded all worldly matters except what serves it. Even his right to succeed the Prophet, of which he was very assured, he overlooked it when he realized that, under the circumstances, it might be against the interest of Islam to do so. He chose a stand that he believed to serve and maintain the solidarity of Islam. Having drawn a clear comparison between the traits of the two social classes, the Imam openly expressed his choice to side with the commoners; and he ordered Malik to do the same.

3.2. The Needy.

“Allah, Allah, with the lower class of the people, who are helpless with no means (to provide for themselves), the poor and the needy, the miserable and the disabled”. The Imam starts his recommendations by repeating the name of Allah; which means that he is holding the governor intensely responsible to Allah in taking care of those who need help. They are:

3.2.1. **The Helpless.** They are those who have no means to provide for their vital needs. It remains the responsibility of the state and the well-off sector of the community to satisfy their needs. The unemployed can be included in this group of the needy people. The Quran makes it an obligation on the well-off to help the needy: **“And those in whose property are known rights for the one who asks, and for the deprived”** (51:19).

3.2.2. The Poor, the Miserable and those in Dire Need

Poverty is a sad condition and the Imam talks about it in a very touching manner. He describes poverty as: **“the grand death”**. The Prophet also said: **“poverty is about to be a sacrilege”**.

The dignified companion Abu Dharr al Ghifari is quoted to have said:

“I wonder that a man enters his house and finds no nourishment, how does he not go brandishing his sword”.

A sad instance is related below concerning people who resort to any means to feed their families. Abu al Faraj al Asbahani related the following anecdote about the stand of one of the progeny of Imam Ali, Muhammad bin Ibrahim al Hasany. He came across a poor woman who was gathering fallen bits of dates from the dust:

“While he was walking in the roads of Koofa he saw an old woman following loads of dates and collecting the falling bits in a ragged piece of cloth. He asked her what was she doing. She answered: I am a lonely woman, with no man to provide for me, and I have girls who have no means to support themselves. Therefore I follow this road and collect what feeds me and my children. The Imam wept and said: You and those who are like you shall make me revolt tomorrow, till my blood is shed”.

The history of Islam had witnessed many despots and unjust rulers who neglected the needy and the destitute, so much so that poverty became wide spread. The man referred to above instigated an uprising against the Abbasid state; hard luck for the poor that he was defeated and killed.

3.2.3. The Disabled and the Chronically Ill.

It is remarkable that Islam, as a governing regime, makes it the duty of the state to care about those who are disabled, and the chronically ill, most probably before any other social system in

human history. This class of people are totally dependent on help from others to survive. In some totalitarian regimes they were considered a burden on the state, and some even considered it acceptable to eliminate them, to save what expenditure they required for a decent living. Again, Imam Ali reiterates his belief in the right of every human to a decent and dignified life. Is it not ridiculous, even tragic, to see a certain state with tremendous wealth of natural resources like oil and natural gas, yet the country is full of beggars? No ruler of an Islamic state has the right to sleep full, while some of his subjects are hungry. The Prophet asserted this principle, saying: **“One cannot be a believer, if he sleeps full, and his neighbour is hungry”**.

3.3. The Orphans.

“Take care of the orphans, the weak and elderly, who have no means to support themselves, nor do they allow themselves to beg. This matter is a heavy task on the rulers; in fact all the right is heavy. Allah may lighten it for those who sought a good outcome, and adapted themselves to be patient, and trusted what Allah truly promised them”.

This is an order to the governor to pay special attention to two social groups who are in no position to earn their daily bread; who consider it unbecoming to ask others for help. It is an ethical responsibility on the governor to preserve the dignity of those two groups, and secure for them their natural right in a decent standard of living, just like any well off people. While he asks the governor to undertake that responsibility, the Imam admits that it is a heavy task; and adds that realizing **the right** is altogether heavy; Allah will certainly make it light for those who work for the promised reward, in this world, and in the hereafter.

Why did the Imam describe the right to be heavy? It is natural that a human being tends to take care of his own affairs before that of the others. Egoism is an instinctive and natural

tendency in mankind. When someone is asked to put some effort to help, or give money to those who need it, he may find it a burden, unless he is sure that ultimately he will be paid back, or there is some benefit in it for him. That is why Imam Ali promises those charged with taking care of the orphans and the elderly a good reward when they exercise patience in doing that difficult duty; and that Allah shall make the difficulties easy for them.

Orphans are the most needy and weak element in society. Their age does not help them to work for their living, and they have no guardian father to protect them in their need. Islam attaches great importance to the task of taking care of the orphans, and to nurture them to be good members of society. If they are exposed to hunger and insecurity they are most likely to grow up spiteful towards society. They will find themselves deprived of their natural right in life, watching others enjoying it. That is why the Prophet highly recommended taking orphans into the custody of those who can afford, stating: **“I, and anyone who sponsors an orphan, are like those in paradise (showing two fingers)”**.

What a great reward it is for anyone who sponsors an orphan, to be in the same status with the Prophet in paradise. I don't think that there is any other doctrine in the world or any social order that recommends providing the same level of meticulous care of orphans; nor can I imagine a reward as noble and generous for a sponsor of an orphan, promising him or her a status in the hereafter equal to that of a Prophet. More than that there are so many verses in the Quran that threaten with the severest punishments those who usurp the rights of orphans, or maltreats them. “A similar doctrine and provision are clearly stated in the Torah, and Christian Scriptures.” (Rev. Bruce Keeley, P.C. 2012).

3.4 The Frail Elderly.

The other group of the needy that the Imam stresses giving them help and support are the disabled, being elderly, or physically not fit for work, calling them: **“the frail elderly”**. This is the highest degree in taking care of those needy people, who in their heyday might have given the community a great deal of effort and achievement; and eventually became unable to earn their bread and butter. In many modern societies there are social security establishments founded to cater for the needs of the elderly, especially those whose age makes them unable to do any serious work. Some states usually provide for them the means for a decent living, health care and social support. Imam Ali, so early in the history of social welfare thinking, had anticipated the modern concept of social security in every aspect, especially for the benefit of the weaker elements in society. Not only that, but he considered it to be in obedience to Allah, and promised generous rewards from Allah to anyone who puts his efforts to that effect.

3.5. Budget for Social Security.

“Safeguard for Allah His right that He entrusted you with, for them (the needy). Allot to them a portion of your treasury. The faraway ones have the same rights like those nearer to you; and all are in your custody”.

The responsibility of governors in Islam is to ensure that every member of the community is allotted his designated share of the revenues of the state. The needy in particular are to be given special attention due to their economic condition, and their limited physical ability to earn their living. The Imam considers that what is given to those people is in fact a provision of Allah which He made their right. Therefore, the governor's duty is to work towards extending this right to those in need. Most noteworthy in the teachings of the Imam is that this right should

reach everybody, those in the ruler's locality, and those in remote places. This egalitarian concept is a basic belief of Islam. The prophet said: **"People are equal like the teeth of a comb"**.

Allah did not create national or political borders between nations. They are all man made. Neither did He segregate one from another in matters of race, ethnicity, or colour. All are equal in their civil rights. The most honoured by Him are the pious; which in principle is a case of righteous behaviour and manners. We construe from the sayings of the Imam in this respect that state revenues belong to the people at large, wherever they come from, and wherever they might be. In Islam the wealth found in any part of the world realm is the property of all. No community may claim that the wealth in their part of the world belongs to them exclusively; depriving others of their share in the wealth Allah gave to the nation. It is a very unfortunate state of affairs in the Islamic world, for example, that we see a small Islamic country endowed with abundant wealth, and is manipulated by a small minority of the community; especially those in authority, while hundreds of millions of Moslems are living in poverty.

Islam is fundamentally an egalitarian doctrine. Rulers and subjects are equal in their rights and privileges. The only approved distinction between people is in piety and in their adherence to the teachings of the Lord above. Whenever there is poverty and need, it is an indication that there is some unjust distribution of wealth. A very significant statement of Imam Ali defines the rights of the needy in the wealth of the rich:

"Allah the glorified ordained the sustenance of the poor to be in the wealth of the rich. Whenever a poor man is hungry it is because of what a rich man is enjoying; and Allah the sublime will question them about that".

How could a man suffering from hunger and need be expected to feel part of the community when he can't afford the

basic needs for himself and his family, while the rich enjoy all amenities and privileges? When a poor person finds the rich unconcerned about his condition, he will bear grudges against them, and might even be alienated from his community. The Imam said: **“A poor man is a stranger in his own home land; and a rich man is at home wherever he lives”**.

3.6. Keep The Needy in Mind.

“Let no preoccupation in life distract you from them. You shall have no excuse for ignoring small matters by attending to the big and important. So, don't be unmindful of them, nor should you look down at them in vanity”.

The governor may claim that tending to important and major issues would not leave him time or energy to tend to minor issues. Most often this excuse is used by rulers to avoid any blame for ignoring matters that directly affect the daily life of common people. That may have some logic, but it does not provide any excuse for ignoring what directly bears on the daily life of the subjects. When they find that their affairs are tended to they will have a sense of common belonging, and their attachment to the social establishment will be deeply grounded. Then Imam Ali concludes this part of his directives by advising the governor not to feel haughty, or behave with vanity towards people. Allah does not love the vainglorious and boastful.

The most damaging relation between rulers and people is caused by the arrogance of the rulers who look at their people as ignorant and dependent on them. Many a ruler in Islamic history was a self-appointed despot, or one who inherited his authority from another, a father or a brother, without any public approval or consultation; one who ordered his people to be obedient and loyal. Whenever they do not get that obedience they accuse their people of ignorance and dissention against whom they claim to have the right to be king or president. They feel free to charge

any dissenter with any other accusation that suits them. Anytime the people ask to be allowed their rights in electing their leaders they play the excuse that people are not yet mature enough to practice democracy and decide upon who is suitable to rule them. Even in our present time, there has been rulers who described their people to be not ready for democracy. They impose their will on the people, and place themselves high above them; yet in most cases they possess nothing that qualifies them for their positions. But, any time they are in a dilemma they start begging help and support from those they used to deal with by disrespect and injustice.

3.7. Inspection Teams.

“Keep an eye on the affairs of those who have no access to you; who are looked down at (by others), and regarded by some as of low esteem. Assign to them those in your confidence, who are pious and humble, to report to you about their affairs. Treat them with a sense of responsibility to Allah on the day you will meet Him. Amongst the subjects those are more in need of fairness than others. Fulfil your obligation to Allah in giving Him his right”.

Not many people have access to the offices of the ruler. Some might be in faraway locations; some others are unable to get through to his place, especially those of humble status in the community. The Imam describes them as being of low status and with limited influence or none. Thus the governor might not be able to know about their needs and problems except directly. Imam Ali orders him to take all measures to offer them the opportunity to raise their concerns and get the attention needed for their help.

It is quite possible that the governor might not have enough time to directly and personally look after every body's case; especially in modern times when the number of people has

become very large, and life's problems more complex. However he might try, he will not be able to cover more than a limited number of cases. The Imam anticipated this problem, and advised the governor to appoint some selective officials, who are known to be trustworthy, humble and fair, to keep an eye on those in need of help, and to report to him about them. It is noticeable that he emphasizes that those selected for this task should be pious and fair. Such people are more likely to be accurate and true in their reports; and when they are humble they will not look down at handling trivial matters of the needy. Their reports to the governor need to be factual and first hand.

In many occasions government officials try to win the confidence of the governor and report to him only what he is pleased to know, and hide from him unpleasant facts, trying to please him. They are cheaters in more than one way. They betray their duty by giving false information, they cheat their superior by lying to him, and they cheat their Lord by being false and dishonest. Nothing useful will ever be achieved by this conduct. The needs of the people will remain untended to; the governor will have the false impression that his people are content and satisfied, and falsehood will prevail in every corner of the state. Everybody will be cheating everybody; and no progress can be realized. We remember the saying of the Imam above, telling Malik to choose those assistants who are **very determined to inform you of the most bitter truth.**

Imam Ali shows extraordinary concern about securing the rights of this class of people. He asserts that they are more in need of justice than any one else. This establishes the fact that justice is the right of all, but the needy people should be given more attention in this respect, because they have limited access to the rulers, and are more likely to be disregarded by those in control of the state.

It is very clear now that Imam Ali held a very unfavourable disposition towards the special class of people and those close to governors, describing them to be selfish and self-centred, being less interested in justice, and impatient in case of difficulties. He spares no effort in reminding the governor of the risk of enabling this class of people to own the means that make them a social class distinct from the masses.

O, leader of the destitute, may Allah bless you with his mercy and reward. Whenever we look into your words and actions we see you caring for the needy and the weak. Your heart is full of compassion for them, and you are their leader and protector.

Chapter Seven

Advices and Warnings about Personal Conduct

In the previous chapters the discourse was mainly about the policy of the governor with people and staff members of his government, and about foreign relations with his adversaries. In this final chapter the discussion will focus on the importance Imam Ali gives to the personal bearing of the governor and the manner in which he should conduct his governance.

1. Control your Mood.

Governors may start to feel potent and authorized. They might exaggerate their self-esteem and sense of pride. That attitude may adversely influence their personal conduct, leading them to excesses in dealing with their subjects. Aware of this possibility, Imam Ali advises Malik to avoid being under the influence of pride or conceit.

“Be in control of your sense of pride, of the outburst of your might, of the onslaught of your hand, and of the vehemence of your tongue. Protect yourself from all that by curbing rashness and delaying onslaught, till your anger subsides and you are in control of your choices. You may not be in control of that till your worries abound by remembering the day you return to your Lord”.

Sense of pride may lead to violent reactions in self-defence, or to exaggerated retaliations against any attack on one's prestige and esteem. It is characterized by quick temper and prompt

reaction towards what is considered an offensive gesture or action. The advice of the Imam is that one should control his quick reaction and rage, and to overcome the impulse of self-pride, which might lead to using hand and tongue excessively against the opponent. The best way to do that, Imam Ali suggests, is by delaying the response of anger, and to wait till rage subsides, and one is able to control his actions and words, and carefully chooses what is the best to be done and said.

The crucial matter in following this advice of the Imam is to exercise forbearance. This quality is highly praised in Islamic teachings. Imam Ali described forbearance as a **protective shelter**. It means that when one is subject to give in to his anger when annoyed or insulted, forbearance will protect him from excesses in his reactions, about which he is very likely to be sorry later on. He also rightly described hot temper by saying: **“Rage is a kind of madness, about which one repents. If he does not repent, his madness is certainly deeply rooted”**.

It is a well-known rule that when one brandishes his weapon in the face of another he has instigated a bloody conflict, from which it is difficult to disengage. When our actions are under our control we are in control of the consequences. Yet, any action will surely draw a reaction. Therefore, if we control our actions the initiative will remain in our hands, and we will keep the upper hand. The same is true about what we utter. There is a valuable wisdom said by Imam Ali in this respect:

“Words are under your control as long as you do not utter them. The moment you utter them you will be under their control. So, keep your tongue in store, just like you store your gold and silver. Perhaps a word might deny a grace”.

2. Avoid Bloodshed.

Imam Ali issues strong warnings against unlawful bloodshed, and warns about its grave consequences:

a. **“Beware of shedding blood unjustifiably; for there is nothing more inviting of resentment, or more of grave consequences. Nothing is more a cause for the decline of graces, and putting a prompt end to reign, than shedding blood without right”**. Islam attaches great value to human life. It prohibits killing anyone except by the divine law of justice. Besides that, mercy and pardon are highly recommended to avert chain killings in revenge and counter revenge. In the Quran, killing an innocent soul without lawful reasons is considered akin to killing the whole of mankind:

“... We have decreed upon the children of Israel that whoever kills a soul, unless for a soul or corruption on earth, it is as if he had killed all of mankind” (5:32).

According to the spirit of divine law mentioned in the preceding verse Imam Ali strongly warns against shedding blood unlawfully. He reminds the governors that such an act will bring the wrath of Allah and his resentment, and bring in grave consequences. It will also lead to an early end to the reign of the rulers. A killer in cold blood or unlawful killing will always be accused of murdering an innocent soul. The kinsmen of the victim will have the right for compensation, or even the right to have revenge. Widows and orphans will be left without the head of the family; in need of love and care. The community at large will look at the killer suspiciously. The Imam warns against intentional killing, stating that it leads to revenge and retaliation:

“You shall have no excuse with Allah or with me in intentional killing; because it instigates revenge”.

Besides the adverse effect of bloodshed on the community, the Imam considers it to lead to the termination of the reign of the ruler. Unjustified bloodshed creates fear, and disturbs the peace in the community. It shakes the people’s confidence in its government, especially if the ruler is himself the killer, or the

perpetrator of the killing. He will be always wary of his subjects, and will resort to protecting himself against potential revenge by means of a large number of hired bodyguards, which is likely to make matters even worse. The likelihood of a prompt end of his reign is that he will find no one willing to stand by him when his rule faces any danger. History is full of such instances, when many oppressors found themselves without the help of their own people in case of an outside danger, or an internal uprising.

There is no doubt that inflicting the punishment of death on any human being who commits a murder intentionally is a severe punishment and bears some degree of outward cruelty. There are some opinions that oppose the death penalty on the grounds that executing a murderer shall not give back life to his victim. Many countries abolished the death penalty, replacing it with life imprisonment, or by a long term imprisonment. The rationale of this measure is that imprisoning a person for life will inflict on him a permanent suffering by depriving him of his freedom and confining him to very limited space under severe conditions and tight guard; beside the view point that human life is highly valued.

Replacing the death penalty by long term imprisonment might be the right punishment for those who have a genuine appreciation of freedom in life, and are scared by long imprisonment, when death is considered easier for them than living in prison for life or for a long time. But there is a certain kind of people who have no real appreciation for personal freedom, and are not greatly bothered by long term imprisonment. Those will always have some hope of being released sometime in the future by a pardon, or by a change in the legislature that will set them free. As long as they are still alive, eating and drinking, they will bear life in prison. With those creatures there is no use in trying to show any appreciation

of human life, because it is absent from their mentality. Keeping them alive, on the other hand, might only encourage them and the like of them to have no regard for human life, even for their own freedom; and are not deterred by long term imprisonment. It is more worthwhile to protect the community from the likes of those, once and for all, by applying the just rule of: **“a soul for a soul”**. This punishment had been legislated by the two divine religions which preceded Islam.

On the other hand, Islam recommends pardon for the offenders, considering it a venue of mercy and forgiveness. The Quran states that when someone is killed without justice, his folks have the right for reprisal. Yet, it recommends exercising mercy and forgiveness, and recommends accepting blood money instead of death. A Moslem is taught to exercise forgiveness, as much as he wishes to be forgiven for his mistakes. **“Let them pardon and overlook. Would you not like Allah to forgive you? And Allah is forgiving and most merciful”** (24:22).

Another matter that needs to be considered is that secular societies do not educate people to believe in the hereafter, and that there will be a just judgement therein. In those societies people do not have any fear of judgement in the hereafter for their actions, because they basically do not believe in it. Therefore, some of them prefer death to spending long years in prison for committing murder. They look at imprisonment to be more painful than death, so some may prefer death to long time imprisonment. It is also noticed that many people in modern secular societies choose to commit suicide than to suffer severe pain in case of a terminal disease. Some even commit suicide when they suffer from depression, or feel boredom in life and think it is futile to live. In this context it is believed that the punishment of a murderer is only what he gets in his life, with nothing more in the hereafter.

b. “Do not consolidate your authority by shedding blood unlawfully. That will certainly weaken and devitalize it; and will rather bring it to an end, and change it to another hand”.

Some tyrants believe that killing their rivals for any pretext or doubt in their loyalty will consolidate their authority. They go on getting rid of any potential rival whom they feel may pose any opposition to their rule, even on false evidence, or by the least amount of suspicion. One notorious despot, Al Hajjaj, who was a governor for some of the kings of the Omayyad Dynasty, is reported to have killed an innocent man, saying to him: **“Well, I know that you are innocent; but I think that your killing will be good for the nation”**. No good was realized to the nation; the governor only wanted to spread fear and terror in the minds of the people.

c. A governor or a ruler may inflict a punishment by mistake, by his hands, his weapon, or his whip; or he inflicts an unduly harsh punishment. What should he do then? Imam Ali says:

“Should you be afflicted by a mistake, and did an excessive punishment by your whip, sword, or hand, wherein any punch by fist or more might lead to death, do not let your pride of authority prevent you from compensating the kinsmen of the victim with their due right”.

Many rulers feel too proud to admit their mistakes; it is human nature. To educate his followers, the Imam teaches them to avoid falling into the pit of false pride; and advises not to refrain from admitting their mistakes and making up for them. Real pride is exclusive to Allah. This situation is well catered for in the Quran, ordaining that no believer may kill a believer, save by mistake, and he should pay for it.

“And never is it for a believer to kill a believer, except by mistake. And whoever kills a believer by mistake, he must

emancipate a believer slave, and blood money to be delivered to his kinsmen; unless they give it as charity” (4:92).

It should be noticed in this verse to what extent Islam promotes the abolishment of slavery. When the Prophet stated that killing a believer is more serious to Allah than the disappearance of the world, and compensation for an unintended killing of a believer is by freeing a slave, it can be concluded that to free a slave is as valuable and important to Allah as the life of a human being.

3. Avoid Vanity.

“Beware of over admiring yourself, trusting what you like in it, and to love being praised. That will be the best opportunity for Satan to nullify what good deeds the charitable may do”.

Vanity and self-admiration are harmful attitudes. They make one feel lonely, even when he lives among his closest companions. His condition is well described by Imam Ali, who said: **“Vanity leads to the deepest state of loneliness”.**

This condition is noticed with those who own great fortunes, or occupy an important position in life, which provides them with great authority or influence on others, or achieve an important success in life that makes them feel that nobody can match them, feeling like one in a million.

Very rich people give themselves the right to do whatever they wish, and to get whatever they want. This feeling induces in them a feeling of vanity, and an exaggerated sense of self-esteem. They tend to like and go for whatever their vanity leads them to. As for the one in political authority, he is likely to believe himself as the only one that can solve problems, his way of dealing with them to be the best, and no other one is more able to rule. When he faces a difficult problem, or fails to implement his policy, he will blame others for his failure,

accusing his assistants of not understanding his ideas and plans, or being unable to put them into effect. That state makes him feel more lonely, his life becomes desolate, and his complexes will be more intensified. It is a vicious circle: the more he fails the more he thinks himself not to blame. If such a person is a despot, his entourage will deepen his desolation more by over-praising his abilities, making him even more complacent, and consequently more prone to err.

Imam Ali puts all effort in warning against vanity, and explains that there are three perils in it: first of which is self-conceit, as discussed above. One would be infatuated by what he likes in himself. This inflated confidence in the self leads one to be under the influence of whimsical desires for self-gratification. These whims may well be the way to frivolous worldly desires. Ultimately the one who is vain will be infatuated by being praised, and believes himself worthy of it. When those around him will know of that tendency they will spare no opportunity to shower him with exaggerated praises; what he deserves and does not deserve. He will be pleased with those praises, and will believe in what they say about him; because he likes it. He will believe that whatever he does to be right, refuses any criticism, and discredits other opinions. By then Satan will have his best opportunity to be in control of him, and to dictate his actions. The Imam himself was very cautious of the temptations of flattery. Some people praised him in his presence. He responded by saying: **“O Allah. You know me better than I know myself; and I know myself better than them. O Allah, render me better than what they think, and forgive me for what they do not know”**.

4. Do not Ask to be Thanked.

One of the worst habits of rulers is to consider what they do for their subjects as a personal favour, for which people should

feel grateful. This is a distortion of the truth, for Allah is the one who gives and denies. The Imam warns about this tendency: **“Beware of waiting for your subjects to be grateful for what you give. Do not exaggerate (the value of) what you do for them, or to promise them then break your promises. Expecting gratitude ruins the favour, and exaggeration extinguishes the light of truth. Not honouring promises draws dismay from Allah and the people. Allah said: Most hateful it is to Allah that you say what you do not do”**. Whatever is in the hands of a ruler is a responsibility to which he is entrusted to pass to those in need. According to genuine Islamic principles a ruler owns nothing of public wealth, except what moderately sustains him and his family, like any member of his community; no more no less. Warning against those practices Imam Ali comes up with the following maxims:

a. **“Favour is Ruined by Eliciting Gratitude”**.

This maxim is substantiated by a verse in the Quran that criticises the action of those who ask others to show their gratitude for what charity they give:

“O you who have believed: do not invalidate your charities by reminders (of it) or by injury, as does one who spends his wealth only to be seen by the people” (2:264).

It is a duty on the well-offs to offer some of their property to those in need. Any help to the needy is a charity. The Imam said: **“The more the bounties of Allah are abundant on someone, the more people will be in need of him”**. To remind people of the charities they receive from someone and asking them to express their thanks will ruin their value. It puts the receiver in a position of weakness, although what goes to him is only from Allah. The one receiving a charity might be in dire need and is forced to ask for it; so it is a bad manner to remind him that he should be grateful for that. It will make him feel degraded and in

debt towards the donor, which might make him hate the social system that compelled him to accept charity. This is exactly what Islam refuses; human dignity is to be highly regarded.

b. Exaggeration is a Kind of Falsehood.

To exaggerate the value or amount of what is given borders on falsehood and lying; claiming something untrue, be it what did not happen, or overstating the value or the amount of what was given. People know what comes to them from the rulers. When the rulers exaggerate and brag about it, the people will lose confidence in the claims, and will doubt even the value of what they really get. This matter will impinge on the prestige of the rulers. Imam Ali considers this sort of behaviour as a kind of falsehood that “**extinguishes the light of the Right**”. It is much better for rulers to be truthful, and avoid exaggerating the value of their actions. They will save themselves the consequences of forcing others to believe their bragging. Otherwise, they will look like impostors or distorters of the truth, and will expose their prestige to mockery and loss of confidence.

c. “Breaking Promises is a Bad Manner.”

A leader may promise his people many things, but fail to keep his promises. The Imam warns against such behaviour; Allah forbids it, and people get disappointed. People may plan for their life according to what they are promised, only to find out that no promise had been kept, and will lose confidence in the words of their leaders. No leader may ever be successful in his work unless his people trust him, and cooperate with him willingly and wholeheartedly. To secure such cooperation there should be a mutual trust between leaders and citizens.

5. Avoid Precipitancy and Negligence.

“Beware of precipitance in dealing with issues before their suitable time comes, or neglecting them when their time

is due; nor to be importune if they are unclear, or slackening when they are clear. Put every matter in its proper place, and do every job in its proper time”.

There are four notions in this piece of advice that Imam Ali strongly warns about, regarding the way to deal with matters.

a. The first is **precipitancy**. It means lack of patience and a driving will to get something before its time is due. The Quran teaches us: “**And man is ever hasty**” (17:11). One risk of precipitancy is that one may lose all that he is looking for if he deals with matters before all conditions are suitable; or spoiling it rather than perfecting it.

b. Like precipitancy, **negligence and hesitancy** in dealing with a matter when all conditions are favourable may also cause some damage and losses. A matter may be ready and ripe; but neglecting it, or hesitating in dealing with it, could well expose it to the risk of a change that renders it useless, or unduly costly. Opportunities do not come always as one may wish. Imam Ali said about fleeing opportunities that they pass like clouds in the sky, and advises to make use of any favourable opportunity.

c. **Importunity** is another bad habit the Imam advises to avoid. When there are some serious obstacles that prevent achieving a certain result, one should not persist in trying to get what he wants. Those obstacles might be insurmountable at the moment, and it is better to show some patience and wait for the suitable time. One of his maxims says: “**Importunity spoils sound opinions**”.

e. And finally, **negligence** in dealing with matters in the proper time is another bad habit. In this case the proper time and opportunity to handle a certain issue might pass with no return. All efforts might go in vain, and there might be no other suitable opportunity to come. Laziness and lack of attention are factors in this situation.

6. Do Not Be Selfish.

“Beware of selfishly possessing what people have equal right to, or to give a blind eye to what concerns you, which has become clear to be seen by all. It will be taken from you to others; for soon your matters will be in the open, and the wronged will be done justice from you”.

Greed, selfishness and avarice lead to wrongly appropriating what belongs to others, in whole or in part. This trait is widely noticed among those in power, allowing themselves the benefits of any opportunity, denying others any share or participation. In one of his maxims the Imam, with his deep insight into human psychology, describes those who obtain authority, like kings, presidents, and governors, to have a great desire to monopolize all benefits, and put their hands on as many properties as they can, by any means in their power. He said: **“Who reigns appropriates”**. This statement is a clear and sound description of what a governor or a man in authority is tempted to do. Therefore, he strongly draws the attention of Malik not to fall into that trap and get for himself more of what people have equal right to. Egypt was a rich country, full of natural bounties, and had witnessed many great civilizations, and there is so much that a selfish ruler may covet.

The other matter is this advice is that those around the governor are likely to take advantage of their position and take into their possession more than what they are entitled to. He orders Malik not to give a blind eye to that matter, and to know that soon everything will be known to the people, about which they will speak openly. If he fails to take the right measures, to prevent his companions from such behaviour, sooner or later he will lose authority, the rights of the oppressed will be restored to them, and his companions will avail him of nothing. History is full of examples of tyrants who unjustly possessed everything in

their domain, to be ultimately taken from them, leaving them sighing in grief, if they can ever get away with it.

It is sad that the great majority of those who rule Moslem communities and states behaved so selfishly, and monopolized the wealth of the nation, considering all the state their own. They got used to take as they wished, and to give as they desired. The exception are the very few who followed the commands of Allah, and avoided his prohibitions. Most painful is that they all usurped the rights of the community in the name of Islam, while Islam denies that to the likes of them. They were also supported by some corrupt clergymen and preachers who justified for them their selfish behaviour.

7. “Good Past Traditions”

In all of his statements in this matter the Imam keeps asserting that he was following the Quran and the tradition of the Prophet in managing public affairs. Let us read what he wrote at the end of the charter, teaching Malik to follow that good example:

“Your duty is to remember the righteous government that preceded you, the virtuous traditions, and the noble legacy of our Prophet, peace be upon him and his progeny, and the ordainments in the Book of Allah. Take an example in what you have witnessed, and in what we have followed and abided by”.

It is clear that Imam Ali planned and formed his government on the lines and teachings of his tutor the Messenger of Allah, Prophet Mohammad, peace be upon him and his progeny. He must have found it necessary to validate that experience and pass its details to Malik, whom he entrusted with governing Egypt.

To consolidate his teachings and instructions, Imam Ali offers his last advice to Malik telling him to preserve any good

practice of his predecessors, and avoid establishing any practice that may compromise those good practices:

“Do not revoke a good tradition by which the earlier good followers of this nation acted, upon which congeniality was met, and by which the people prospered. Do not bring about a tradition that is harmful to those past traditions; the reward for which goes to who innovated them, and the misdeed on you for what you revoked of them”.

Epilogue

The detailed directives and instructions in this charter are based on the concept that Islam is a faith that caters for the wellbeing of people, and Imam Ali translated that concept in a treatise that establishes the rights and duties of the citizens. To accomplish the mission, a state with a workable and practical organization is required to implement the principles and teachings of the doctrine. The Imam did not claim that what he envisioned about state management was his own composition, but it is based on how he understood Islam, according to its Holy Book the Quran, and the policy and traditions of Prophet Mohammad, peace be upon him and his progeny. He can only claim that, through his capacity to contrive, he produced in detail a practical system of administration to manage the daily life affairs of the people, and the infrastructure of a state to realize that. Within the context of the period, what he planned was a vision of state management many steps ahead of his time.

It is clear that the Imam was endeavoring to build a state of constitutional establishments. His effort in outlining the personal qualifications of every candidate for a job, as the means of describing the function of every service and office, is the right track towards building the public administration that shoulders the responsibility of managing public affairs and safeguarding public interests, as well as ensuring the smooth implementation of laws and regulations according to Islamic teachings and principles. Although the Imam based all his teachings and instructions on Islamic principles, there are clear indications that he paved the way towards the possibility of a civil society, which does not contradict the Islamic vision of governance. The

most expressive of his statements is his view that people are equal in their civil rights, describing them to Malik as: **“A Brother to you in religion, or equivalent to you in creation”**. Throughout his governance he never differentiated between Moslems and others in respect of their civil rights.

It must be admitted that no other thinker in the Moslem history after the Prophet, could have so early accomplished anything of the same magnitude, planning a system of governmental structure so carefully detailed and so universal in scope. What he accomplished should be a cherished example to rulers and politicians, in all faiths and doctrines. In some aspects it might look idealistic and impractical, according to modern political practices; but human societies will always be in need of the ideal examples in all walks of life. Without that the world will be a jungle.

Was Imam Ali asking the impossible? Was he promoting a Utopian realm? Was he impractical in his suggestions and teachings on politics? Some might argue against his idealism that it was inapplicable. Some even suggested that he failed in his governance, and that his opponent Mo'awiyah was the successful politician. The imam expressed his view about failure and success in governance according to the principles he believed in and followed. When he heard people describing Mo'awiyah as a shrewd politician, he commented that he could be more shrewd than him, had it not been for piety which prevents him from behaving like him. His view is that when someone wins by evil means, he is in fact a loser. **“No one is triumphant if mischief was his master”** he observed.

It is ironic that many politicians and rulers verbally object to Machiavellian methods in politics, as immoral and unethical, yet most of them follow them word by word. More painful and sad is the fact that leaders of Islamic states did not try, and are not

trying, to benefit from this Charter in managing the affairs of their states and communities. The United Nations report about human development in the Arabic countries, 2002, page 103, mentioned a number of Imam Ali's sayings, as a shining example in Islamic and Arabic history. Alas, that advice was in vain; most rulers, if not all, are still turning a blind eye to those noble lessons. They are ignoring the risks they are taking by sticking to their worldly interest, oblivious of the tragic outcome of despotism and dictatorship.

O Allah, let your best prayers and peace be upon our leader, our teacher, and our beloved Prophet Mohammad, and upon his noble and infallible progeny, and his selective companions. May Allah bless your soul, Imam Ali, that you were a model of the just and selfless ruler in Islamic history. Your universal sense of justice, and humane disposition towards people, shall remain forever the highest model for rulers and politicians. We implore to Allah to be guided by his noble teachings and guidance, and our last supplication is with what Allah said in His Holy Quran, describing the believers:

“Their call therein shall be: ‘Exalted are You, O Allah’; and their greeting therein will be, ‘Peace’. And the last of their call will be: ‘Praise to Allah, Lord of the worlds” (10:10).

**The humble servant of Allah, Dr Abdulmonem Nasser.
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